

Joint Standing Committee on Health and Human Services

LD 106 **Resolve, Establishing the Commission to Review the Effectiveness of Statewide Confidentiality Laws Dealing with the Care of People with Mental Illness** **INDEF PP**

<u>Sponsor(s)</u> WINGLASS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u>
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LD 106 proposed to create a study commission to review the effectiveness of statewide confidentiality laws dealing with the care of people with mental illness. The commission would have been required to submit its report and any accompanying legislation to the Second Regular Session of the 118th Legislature.

Committee Amendment "A" (H-158) proposed to expand the membership of the Commission to Review the Effectiveness of Statewide Confidentiality Laws Dealing with the Care of People with Mental Illness and would have extended the commission's duties to include procedures that could be used to enable the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to communicate with the Joint Standing Committee on Health and Human Services as required for the accomplishment of the committee's oversight responsibilities. It also would have added an appropriation section and a fiscal note to the resolve.

LD 108 **An Act to Amend the Criteria for Reimbursement by the Medicaid Program for Nursing Facility Residents** **ONTP**

<u>Sponsor(s)</u> PERKINS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 108 proposed to require the Department of Human Services to amend the medical criteria for reimbursement by the Medicaid program for residents of nursing facilities. For residents who were residents on June 30, 1993, the criteria would be the same as the criteria in effect on that date. The bill would have applied retroactively to all determinations of eligibility for admission on or after July 1, 1993.

LD 122 **An Act to Repeal the Funding for the Family Planning Association of Maine** **ONTP**

<u>Sponsor(s)</u> MACK		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 122 proposed to prohibit the Department of Human Services from providing funding to the Family Planning Association of Maine, Inc.

LD 126 **An Act to Limit Medicaid Coverage for Methadone Rehabilitation to One Year** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	ONTP	

LD 126 proposed to limit treatment under the long-term narcotic dependency treatment project for persons receiving reimbursement under the Medicaid program to one year per person and to require a minimum of 1/2 hour of counseling time per week per person.

LD 129 **An Act to Require That All Medicaid Funds Be Controlled by a Single State Agency** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	ONTP	

LD 129 proposed to require the Department of Corrections, the Departments of Education, Human Services and Mental Health, Mental Retardation and Substance Abuse Services to report to the Joint Standing Committee on Health and Human Services regarding agreements to transfer authority for Medicaid program funding to a single state agency by January 1, 1998.

See also LD 1744 regarding Medicaid funding.

LD 130 **An Act to Provide Financial Incentives to a Company That Hires and Provides Health Insurance Benefits to a Medicaid Recipient** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	ONTP	

LD 130 proposed to provide for reimbursement of health care benefit costs to employers that hire recipients of transitional medical assistance under the Medicaid program. The Commissioner of Human Services would have been required to adopt rules to implement the reimbursement provision.

LD 146 **Resolve, to Establish the Commission to Study the Use of Pharmaceuticals in Long-term Care Settings** **RESOLVE 71**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRUNO	OTP-AM	H-10 S-396 MICHAUD

LD 146 proposed to create the Commission to Study the Use of Pharmaceuticals in Long-term Care Settings.

Committee Amendment "A" (H-10) proposed to change the membership of the Commission to Study the Use of Pharmaceuticals in Long-term Care Settings, adding a physician and a registered nurse, each with experience in long-term care, and decreasing the legislative members from 4 to 3. It would have added to the list of duties examination of potential cost savings and other benefits from more efficient patterns of stocking standard, nonchargeable medical supplies. It would have allowed travel reimbursement for all members of the commission and compensation for attendance at meetings for all nonsalaried members. The amendment would have added an appropriation to pay for the expenses of the commission and a fiscal note.

Senate Amendment "A" to Committee Amendment "A" (S-396) proposed to specify that only legislative members receive per diem and reimbursement for expenses, authorized a certain number of meetings and revised the appropriation section.

Enacted law summary

Resolves 1997, chapter 71 comprises the provisions of the resolve, the committee amendment and Senate Amendment "A". It creates the Commission to Study the Use of Pharmaceuticals in Long-term Care Settings, a 10-member commission charged with meeting three times and reporting to the Health and Human Services Committee by January 1, 1998.

LD 153 An Act to Provide Social Services to Children in Need of Services CARRIED OVER and State Supervision

<u>Sponsor(s)</u> BUNKER PARADIS	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 153 proposed to establish 2 systems for providing services to children who are runaways, homeless or truant or whose conduct is violent or aggressive or places them at risk or in danger of serious harm or serious injury. The children who are to receive services from the Department of Mental Health, Mental Retardation and Substance Abuse Services would be designated as children in need of services. Services to this group of children would be based on cooperation between the child and the Department of Mental Health, Mental Retardation and Substance Abuse Services. The children who are to receive services from the Department of Human Services, because their conduct creates a threat of serious harm or serious injury, would be designated as children in need of state supervision. Services to this group of children would be based on a voluntary agreement between the Department of Human Services and the custodial parent or custodian of the child.

LD 158 An Act to Preserve Roadside Springs PUBLIC 45

<u>Sponsor(s)</u> FERGUSON LAVERDIERE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-29
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LD 158 proposed to urge the Commissioner of Transportation to make efforts to keep public springs open and required the commissioner to allow municipal or county officials to pay for testing of water to verify compliance with applicable state and federal drinking water standards.

Committee Amendment "A" (S-29) proposed to replace the bill. It would provide a statutory definition for roadside spring, distinguishing roadside springs from public drinking water sources. It also proposed to add a fiscal note.

Enacted law summary

Public Law 1997, chapter 45 comprises the provisions of the Committee Amendment. It defines roadside springs, distinguishing them from public drinking water sources.

LD 179	An Act to Clarify Medicaid Reimbursement for Acadia Hospital Corporation	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL MURRAY	ONTP	

LD 179 proposed to clarify reimbursement for new psychiatric hospitals. Under this bill, a psychiatric hospital that begins operation after July 31, 1992 would be guaranteed that the terms of an executed provider enrollment agreement would be honored and that Medicaid reimbursement would be made. The bill would have ensured that the terms of any state Medicaid plan and rules concerning disproportionate share payments apply to new psychiatric hospitals.

LD 301	An Act to Provide Representation for Dentists on the Board of the Maine Health Data Organization	PUBLIC 53
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARVIN MITCHELL B	OTP-AM	H-9

LD 301 proposed to exempt from the data collection requirements of the Maine Health Data Organization the dental profession and data on dentistry.

Committee Amendment "A" (H-9) proposed to change the title and add a dentist to the board of directors of the Maine Health Data Organization. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 53 comprises the provisions of the Committee Amendment. It adds a dentist to the board of the Maine Health Data Organization, increasing the number of members on the board from 13 to 14.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARVIN PENDLETON P	OTP-AM	H-17

LD 302 proposed to require the Commissioners of Economic and Community Development and Human Services to study the creation of jobs for welfare recipients and to report to the Health and Human Services Committee by November 1, 1997. The report would have included an action plan to create jobs for welfare recipients and any legislation required to implement the plan.

Committee Amendment "A" (H-17) proposed to require the Commissioner of Labor to participate in the study of job creation for welfare recipients and the Commissioner of Human Services to chair the study. It would change the report date to February 1, 1998. It would require the report to address the role of private industry and private sector employers in job creation for welfare recipients. It would add a fiscal note.

Enacted law summary

Private and Special Law 1997, chapter 6 comprises the provisions of the bill and the Committee Amendment. It requires a report on job creation for welfare recipients from the Commissioners of Economic and Community Development, Human Services and Labor by February 1, 1998. It requires the report to address the role of private industry and private sector employers.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARVIN MITCHELL B	ONTP	

LD 303 proposed to require the Commissioner of Human Services to adopt rules regarding medication retention in nursing facilities to ensure that medications are retained that belong to residents who are on leave from the facility and who are likely to return and that credit is given to the accounts of residents for medications returned to the pharmacy.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH MILLS	ONTP	

LD 333 proposed to appropriate \$500,000 in each year of the biennium for child care services to qualifying parents needing child care in order to work during the afternoon, evening or on weekends.

See funding for child care in LD 1896, Public Law 1997, Chapter 530.

LD 334	Resolve, to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to an Annual Report Card on Poverty	RESOLVE 36
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<u>Sponsor(s)</u> POVICH MILLS	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 334 proposed to require the State Planning Office to report annually to the Legislature on the subject of poverty in the State.

Enacted law summary

Resolve 1997, chapter 36 comprises the provisions of the bill. It requires the State Planning Office to submit to the Legislature an annual report on poverty beginning January 1, 1998.

LD 374	An Act to Consider Cost-effectiveness When Providing Medicaid Coverage for Dental Services	PUBLIC 159
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<u>Sponsor(s)</u> BENOIT	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 374 proposed to require that Medicaid coverage be provided for dental services when medically necessary and when the coverage of these services is cost-effective.

Enacted law summary

Public Law 1997, chapter 159 comprises the provisions of the bill. It requires Medicaid to cover some dental services for adults when those services are medically necessary and cost-effective.

LD 388	An Act to Ensure State Payment to Nursing Homes of Costs Associated with State Adult Protection Custody Orders	ONTP
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<u>Sponsor(s)</u> GOLDTHWAIT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 388 proposed to require the Department of Human Services, as guardian, to pay certain nursing facility bills received after a state ward's resources are depleted and before the time the individual is eligible for Medicaid or any other 3rd-party payment source.

LD 391	An Act to Allow Volunteer Work in a State Licensed Day-care Facility to Fulfill Requirements of the ASPIRE-JOB Program and to Establish a Statewide Toll-free Telephone Line for Reporting Welfare Fraud	ONTP
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<u>Sponsor(s)</u> MITCHELL B LOVETT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 391 proposed to direct the Department of Human Services to establish a pilot program under which an individual may satisfy the 20-hour per week requirement of the ASPIRE-JOB Program by volunteering in a state licensed day-care facility.

The bill would have required the Commissioner of Human Services to establish a toll-free telephone line for use by the public in reporting suspected fraud in the Temporary Assistance to Needy Families program.

LD 394	An Act to Preserve Senior Volunteerism	INDEF PP
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<u>Sponsor(s)</u> PENDLETON P CAMPBELL	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u>
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LD 394 proposed to require the Department of Human Services to fund community-based senior volunteer programs that received funding from the Bureau of Elder and Adult Services during fiscal year 1995-96 in an amount at least equal to each agency's fiscal year 1995-96 allocation.

Committee Amendment "A" (S-61) proposed to delete the statutory language guaranteeing a funding methodology for senior volunteer programs for fiscal year 1997-98 and subsequent years and provided an appropriation for fiscal years 1997-98 and 1998-99 for \$5,700 each year for senior volunteer programs. It would have added a fiscal note to the bill.

See Public Law 1997, chapter 24, which provides funding as proposed in the bill.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP-AM MAJ OTP-AM MIN	S-132 S-157 MITCHELL B

LD 412 proposed to forbid the sale of tobacco products to an individual who does not provide appropriate proof that the person is at least 18 years of age.

Committee Amendment "A" (S-132) proposed to repeal the provisions controlling sales of cigarettes from vending machines and prohibit such sales, to require that all retail sales of tobacco products be face-to-face sales or sales through the mail with provisions to ensure that the purchaser is not a minor, to require proof of identification for all retail tobacco sales to persons under 27 years of age, to require wholesale tobacco sales that are not face-to-face to meet department standards, to prohibit the sale of cigarettes in packages smaller than 20 cigarettes, to prohibit the sale of tobacco products to minors without regard to the state of mind of the seller, to retain the affirmative defense of reliance on identification to the extent that reliance is reasonable, and to add a fiscal note.

House Amendment "A" to Committee Amendment "A" (H-538) proposed to incorporate all of Senate Amendment "A" to Committee Amendment "A" (S-157), and to correct an internal reference to a subsection.

Senate Amendment "A" to Committee Amendment "A" (S-157) proposed provisions identical to Committee Amendment "A" except it would alter the provisions controlling sales of cigarettes from vending machines, restricting vending machines to areas in which minors are allowed only when accompanied by an adult.

Committee Amendment "B" (S-133) is identical to Senate Amendment "A".

Enacted law summary

Public Law 1997, chapter 305 comprises the provisions of Senate Amendment "A" and Committee Amendment "A". It allows cigarette sales from vending machines, which must be located in areas in which minors are allowed only when accompanied by an adult. It regulates mail order sales and requires proof of age from a retail purchaser under age 27. It prohibits sales to minors, retaining the current affirmative defense for reasonable reliance on identification. It prohibits packaging in packages of fewer than 20 cigarettes.

See also 2 errors bills, LD 10, Public Law 1997, Chapter 393 and LD 1902, Public Law 1997, chapter 562. Chapter 393 in Part D corrects an error in a reference to a subparagraph. Chapter 562 re-enacts the prohibition on minors possessing or using tobacco products, an inadvertent repeal in chapter 305.

LD 413**An Act to Ban All Smoking within Workplaces, Restaurants and Public Accommodations****DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	ONTP A	
TOWNSEND	OTP-AM B	
	OTP-AM C	

LD 413 proposed to ban smoking in all workplaces, restaurants and other places of public accommodation.

Committee Amendment "A" (S-198) proposed to replace the bill, prohibiting smoking in restaurants, except for those with separate bars in which smoking is allowed, and requiring taverns and lounges to have no-smoking areas similar to the no-smoking areas currently in restaurants. It would have added a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-225) proposed to amend Committee Amendment "A." It would have retained the ban on smoking in restaurants, while allowing smoking in Class A lounges and separate, enclosed areas of restaurants used primarily for serving alcoholic beverages. It would have removed the requirement that taverns and lounges set up no-smoking areas.

Committee Amendment "B" (S-199) proposed to replace the bill. It would have required lounges and taverns to establish no-smoking areas similar to the current no-smoking areas in restaurants and allowed wait staff in restaurants with smoking and no-smoking areas to have a choice of working in no-smoking or smoking areas. It would have required a report from the Commissioner of Human Services by January 1, 1998 on the standard used in no-smoking areas of restaurants, "reasonably calculated to meet the needs of the nonsmoking public", and added a fiscal note to the bill.

LD 422**An Act to Improve the Delivery of Substance Abuse Services in Maine****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING	ONTP	
MCKEE		

LD 422 proposed to require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to award contracts for services based on performance-based contracting, eliminating the right of the commissioner to reject bids. The bill would have applied retroactively to November 1, 1996.

LD 441**An Act to Prohibit Family Planning Agencies from Using State Funds for Certain Expenses Related to Abortion Services****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE	ONTP	

LD 441 proposed to prohibit the use of state funds for construction or rent payments for facilities at which abortion services are provided or to fund abortions or abortion referral services.

LD 443 **An Act to Require Criminal Background Checks for Home Health Care Workers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMKE	ONTP	

LD 443 proposed to protect clients of home health care providers by requiring criminal background checks on employees of the provider.

See LD 1046, Resolves 1997, chapter 29, establishing the Task Force on Registration of In-home Personal Care and Support Workers.

LD 445 **An Act to Assist Low-income Working Parents** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J MICHAUD	ONTP	

LD 445 proposed to allow families receiving AFDC (now TANF) to continue to receive some amount of financial assistance until their work earnings are sufficient to meet their basic needs.

See LD 1896, Public Law 1997, chapter 530.

LD 455 **An Act to Create a Compliance Plan for Certain Residents of Mental Health Facilities** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARVIN MITCHELL B	ONTP	

LD 455 proposed to require that before a patient or resident who is determined to be predisposed to violence may be discharged from a mental health facility or institute, the Department of Mental Health, Mental Retardation and Substance Abuse Services must prepare an individual compliance plan to ensure that the person continues on any necessary course of medication. The bill would have required that if the patient fails to take the medication or refuses to submit to tests to determine whether the medication is continuing to be taken, then the person would be returned to the facility or institute.

LD 530**An Act to Extend Medicaid Coverage to Certain Children****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KANE PENDLETON P	ONTP	

LD 530 proposed to extend Medicaid coverage to children under the age of 19 whose family income is below 133% of the nonfarm income poverty line. It would have established the Healthy Children's Trust Fund within the Department of Human Services to fund the Medicaid expansion. It would have provided that interim funding for the Healthy Children's Trust Fund comes from the General Fund in fiscal year 1998-99 and then would have required funding from outside sources and from the General Fund.

See LD 1904, Public Law 1997, chapter 560.

LD 559**Resolve, to Make Maine Welfare Laws Conform to Federal Welfare Laws****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B DONNELLY	ONTP	

LD 559 proposed to require the Department of Human Services to review all laws and rules on public assistance, publicly provided health care, nutrition assistance and welfare-related employment training and assistance and to submit a report containing legislation to the Joint Standing Committee on Health and Human Services by December 1, 1997.

LD 572**An Act to Implement Recommendations of the Commission to Study Poverty Among Working Parents Concerning Medicaid Eligibility****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH PINGREE	ONTP	

LD 572 proposed to require coverage under the Medicaid program for children under 19 years of age whose family income is below 185% of the nonfarm official poverty level and for employed adults when the family income is below 150% of the nonfarm official poverty level. The bill would have provided these services January 1, 1998.

See LD 1904, Public Law 1997, chapter 560.

LD 579

**An Act to Ensure Equal Treatment of Lawful Aliens in Providing
Medical Assistance and Aid to Needy Families**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J PARADIS	ONTP	

LD 579 proposed to clarify that the Department of Human Services must continue to provide the same assistance to legal aliens in this state in the Medicaid, Aid to Families with Dependent Children and related programs that it provided prior to the passage of the federal Personal Responsibility and Work Opportunity Reconciliation Act.

See LD 1896, Public Law 1997, chapter 530.

LD 581

**Resolve, to Establish the Commission to Determine the Adequacy of
Services to Persons with Mental Retardation**

**RESOLVE 79
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J MITCHELL B	OTP-AM	H-273 S-403 MICHAUD

LD 581 proposed to create the Commission to Determine the Adequacy of Services to Persons with Mental Retardation to study the adequacy of services for persons who are not served by the Pineland Consent Decree.

Committee Amendment "A" (H-273) proposed to change the appointment procedure and membership of the Commission to Determine the Adequacy of Services to Persons with Mental Retardation , to change the report date to December 1, 1997 and to provide reimbursement for mileage. It would add an appropriation section and a fiscal note.

Senate Amendment "A" to Committee Amendment "A" (S-403) proposed to change the reporting date, to authorize a certain number of meetings, to provide per diem and reimbursement for legislative members and to revise the appropriation section.

Enacted law summary

Resolves 1997, chapter 79 comprises the provisions of Committee Amendment "A" and Senate Amendment "A". It establishes the Commission to Determine the Adequacy of Services to Persons with Mental Retardation, which is required to meet and study the issue and report its findings and recommendations and any implementing legislation by January 1, 1998. This resolve takes effect June 12, 1997.

LD 603 **An Act to Establish a Residency Requirement for General Assistance** **ONTP**

<u>Sponsor(s)</u> MACKINNON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 603 proposed to remove the prohibition against durational residency requirements as a precondition for general assistance and impose a 6-month residency requirement.

LD 641 **Resolve, to Establish the Study Group on Pay Equity Among Providers of Mental Health and Mental Retardation Services** **ONTP**

<u>Sponsor(s)</u> FARNSWORTH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 641 proposed to establish the Study Group on Pay Equity Among Providers of Mental Health and Mental Retardation Services.

See LD 581, Resolves 1997, chapter 79, establishing the Commission to Determine the Adequacy of Services to Persons with Mental Retardation.

LD 642 **An Act to Extend the Time Period Used by the Department of Human Services in Determining Medical Eligibility for Medicaid Reimbursement for Residents of Nursing Facilities** **ONTP**

<u>Sponsor(s)</u> GAGNE FERGUSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 642 proposed to require the Department of Human Services to adopt rules amending the Medical Eligibility Determination form and Chapter 67 of the Maine Medical Assistance Manual so that applicants for Medicaid reimbursement for nursing facility care would be evaluated based on their entire medical and social condition for 30 days prior to the assessment and so that nursing needs would be recognized if required on 3 or more days during any 14-day period in the 30 days prior to the assessment.

LD 644 **Resolve, to Require a Plan for a Register of Nonlicensed Persons Who Provide Health Care Services** **ONTP**

<u>Sponsor(s)</u> FARNSWORTH		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 644 proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse and the Department of Human Services to prepare for the Legislature a plan for a register of personal care and support providers who are not otherwise regulated.

See LD 1046, Resolves 1997, chapter 29, establishing the Task Force on Registration of In-home Personal Care and Support Workers.

LD 657	Resolve, to Establish the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities	RESOLVE 81 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRIPP	OTP-AM	H-301 H-458 MITCHELL J

LD 657 proposed to establish the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities.

Committee Amendment "A" (H-301) proposed to add members to the commission, to add duties from the suggestions of the informal study of nursing home rates during the summer of 1996 and from another bill, and to add an appropriation section and fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-458) proposed to give legislative members of the commission per diem and reimbursement for expenses incurred for attendance at commission meetings and to increase the appropriation.

Enacted law summary

Resolves 1997, chapter 81 comprises the provisions of the bill, Committee Amendment "A" and House Amendment "A". It establishes the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities, requiring a report with implementing legislation by December 15, 1997. The resolve takes effect June 12, 1997.

LD 664	An Act Regarding the Regulation of Day Care Facilities and Home Baby-sitting Services	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON P	ONTP	

LD 664 proposed to require the Commissioner of Human Services to adopt rules allowing day care facilities and registered baby-sitting services to care for more children than would otherwise be allowed when there are periods of time of less than 2 hours of coinciding care during the day. It would have applied day care facility licensing to providers of services for one or more children under 16 years of age.

See LD 1893, Public Law 1997, chapter 494 on child care regulation.

LD 689 **An Act to Exempt Veteran Residents of the Maine Veterans' Homes from the Provisions on Medical Assessment of Eligibility for Medicaid Reimbursement** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PLOWMAN	ONTP	

LD 689 proposed to exempt veteran residents of the Maine Veterans' Homes from the provisions on medical eligibility for reimbursement under the Medicaid program.

LD 696 **An Act to Assist 2-parent Families in which At Least One Parent Is Incapacitated** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOWNSEND	ONTP	

LD 696 proposed to require the Department of Human Services to provide direct aid to 2-parent families in which at least one parent is incapacitated.

See LD 1896, Public Law 1997, chapter 530, section A-16 as it enacts 22 MRSA §3762, subsection 3, paragraph B, subparagraph 3.

LD 733 **An Act to Require Medicaid to Pay for Intravenous Drug Therapy at Home** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE DAGGETT	ONTP	

LD 733 proposed to authorize state Medicaid to pay for intravenous drug therapy services at home.

LD 771 **An Act to Require That the Department of Human Services Bring Criminal Charges Promptly against a Custodian When a Child is Removed under Court Order** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOY	ONTP	

LD 771 proposed to require the Department of Human Services to file criminal charges within 15 days of issuance of a removal order against a custodian from whose custody a child has been removed. If the department fails to meet this deadline, the custodian would have been allowed to petition the court to have the removal order vacated

and the court would have been required to vacate the order if it had found that the department did not file charges within 15 days of issuance of the removal order. The court would have been required to issue a new order to return the child to the custodian's custody.

LD 787

Resolve, to Establish the Task Force on Youth and Families

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRENNAN DAGGETT	OTP-AM	

LD 787 proposed to establish a procedure for identifying children in need of supervision and addressing their needs.

It would have created the Maine Commission for Youth and Families and given authority to the Department of Mental Health, Mental Retardation and Substance Abuse Services to implement a range of services for children in need of supervision. It would have required further study to be conducted by the Maine Commission for Youth and Families and directed the commission to evaluate the efficacy of the current youth and family service system in Maine. It would have provided for secure facilities for children in need of supervision who do not comply with valid court orders and required the Department of Mental Health, Mental Retardation and Substance Abuse Services to develop a capacity to provide facilities within the State for children who require long-term care for mental illness and who have additional conditions that make the use of secure facilities appropriate in providing necessary treatment and care.

Committee Amendment "A" (H-173) proposed to establish the Task Force on Youth and Families to study the needs of youths who are at risk and their families. The task force would have been required to report to the Joint Standing Committee on Health and Human Services by December 1, 1997.

LD 790

An Act to Provide Health Insurance Coverage to Children in Maine

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINN	ONTP	

LD 790 proposed to extend Medicaid coverage to children under 19 years of age whose family income is below 150% of the nonfarm income poverty line, with a system of copayments and a sliding scale for services if the percentage is between 150% and 100%. It would have provided that all Medicaid to children is through managed care. This Medicaid expansion would have been funded through a .5 mill increase in the cigarette tax.

See LD 1886 and 1887, committee bills on cigarette tax and anti-smoking and children's health care. See also LD 1898, Governor King's bill on cigarette tax and anti-smoking. See also LD 1904, Public Law 1997, chapter 560.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ABROMSON MAYO	OTP MAJ ONTP MIN	S-117 PARADIS

LD 802 proposed to provide protections to contractors who perform services within a state mental health institute relating to the admission, treatment or discharge of patients.

Senate Amendment "A" (S-117) proposed to amend the bill to restrict the protections to persons and entities providing psychiatric physician services.

Enacted law summary

Public Law 1997, chapter 154 comprises the provisions of the bill and Senate Amendment "A". It extends Maine Tort Claims Act protections to business entities under contract to provide psychiatric physician services at the state mental health institutes.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS	ONTP	

LD 819 proposed to require the Department of Human Services to continue to operate an emergency assistance program for low-income families with children.

See also LD 1896, Public Law 1997, chapter 530.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINSOR	ONTP	

LD 829 proposed to require the Department of Human Services to calculate the total care costs for long-term care services and to allow the client to choose between total care options determined to be clinically appropriate and costing within 90% of each other.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARVIN MITCHELL B	OTP	

LD 844 proposed to reduce from 12 months to 6 months the time period for a child in foster care to qualify for long-term foster care absent a termination of parental rights.

Enacted law summary

Public Law 1997, chapter 39 comprises the provisions of the bill. It reduces from 12 to 6 months the time period for a foster child to qualify for long-term foster care absent a termination of parental rights.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH PINGREE	OTP-AM	H-455 S-377 MICHAUD

LD 851 proposed to provide General Fund reimbursement for personal care services provided for Medicaid recipients on an interim basis. It would have directed the Department of Human Services to apply for a Medicaid waiver by April 15, 1997 to allow recipients of personal care services reimbursed by the Medicaid program to employ their spouses in that capacity and report on the status of the waiver application to the Joint Standing Committee on Health and Human Services by June 1, 1997.

Committee Amendment "A" (H-455) proposed to replace the bill. It would require the Department of Human Services to reimburse spouses who act as personal care providers for severely physically disabled adults who are eligible to receive services authorized under the Maine Revised Statutes, Title 26, section 1421. It also proposed to add an appropriation section and a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-377) proposed to deappropriate the funds appropriated in Committee Amendment "A".

Enacted law summary

Public Law 1997, chapter 509 comprises the provisions of Committee Amendment "A" and Senate Amendment "A". It requires the Department of Human Services to reimburse spouses serving as personnel care attendants for severely physically disabled persons. The law takes effect June 12, 1997.

LD 888	An Act to Provide for Notification to Local Officials upon the Release of Potentially Violent Patients from State Mental Health Institutions	ONTP
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<u>Sponsor(s)</u> BENOIT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 888 proposed to require notification to the State Police and county and local law enforcement authorities when a patient is released from a state mental health institution if that patient was hospitalized because the patient presented a danger to others.

LD 912	An Act to Ensure Access to Child Support for Low-income Children	ONTP
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<u>Sponsor(s)</u> MITCHELL J MICHAUD	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 912 continues the child support pass-through applicable in AFDC cases beyond its April 1, 1997 expiration date.

See LD 1896, Public Law 1997, chapter 530, Part A-16 as it enacts 22 MRSA Section 3762, subsection 3, paragraph B, subparagraph 1. See also Public 1997, chapter 24, which continued funding for the pass-thru during the biennium.

LD 913	An Act to Provide Additional Operating Funds for Homeless Shelters	PUBLIC 552
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<u>Sponsor(s)</u> MITCHELL E PENDLETON P	<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN	<u>Amendments Adopted</u> H-409 S-372 MICHAUD
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LD 913 proposed to appropriate \$2,000,000 in each year of this biennium, for homeless and domestic violence shelters.

The bill would have required mental health workers in homeless shelters to consult with the Department of Mental Health, Mental Retardation and Substance Abuse Services within 5 days of a person's admission to a shelter to identify an appropriate residential and mental health placement for the person in need of mental health services and to make the placement within a reasonable period of time.

The bill would have required the department to develop licensing standards for homeless shelters in consultation with the Maine Coalition for the Homeless and the Interagency Task Force on Homelessness and Housing Opportunities and to report to the Joint Standing Committee on Health and Human Services by October 1, 1997.

Committee Amendment "A" (H-409) is the majority report of the committee. It proposed to provide \$1,000,000 per year for homeless shelters. This amendment proposed to reduce the membership of the Interagency Task Force on Homelessness and Housing Opportunities and to direct it to report to the Governor and Legislature on how best to provide affordable housing and homeless shelter services to persons with mental illness and to make recommendations on the future role and responsibilities of the task force. It also proposed to add a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-372) proposed to eliminate the appropriation section and add a fiscal note.

Committee Amendment "B" (H-410) is the minority report of the committee. It proposed to reduce the membership of the Interagency Task Force on Homelessness and Housing Opportunities and to direct it to report to the Governor and Legislature on how best to provide affordable housing and homeless shelter services to persons with mental illness and to make recommendations on the future role and responsibilities of the task force. It also would have added a fiscal note.

Enacted law summary

Public Law 1997, chapter PL 552 comprises the provisions of Committee Amendment "A" and Senate Amendment "A". It reduces the membership on the Interagency Task Force on Homelessness and Housing Opportunities and requires a report to the Governor and Legislature by December 1, 1997, on affordable housing and homeless shelter services for persons with mental illness and substance abuse problems and on the future role and responsibilities of the task force.

LD 917	Resolve, to Establish a Coordinated Information Referral System and a Single Intake System for the Department of Corrections, the Department of Education, the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Public Safety	INDEF PP
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<u>Sponsor(s)</u> JOYNER MITCHELL B	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u>
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In Part A LD 917 proposed to establish the Department of Health and Family Services to assume fully the duties of the current Department of Human Services and Department of Mental Health, Mental Retardation and Substance Abuse Services.

In Part B this bill proposed to transfer from the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services to the Department of Health and Family Services all of the expenditures, assets, liabilities, appropriations and allocations, rules, contracts and agreements, records, property and employees of those 2 departments. It would have directed the Revisor of Statutes to make any statutory corrections necessary for consistency of the statutes.

In Part C this bill proposed to direct transitional activities concerning the budget and the functions of the departments involved. It would have directed the Joint Standing Committee on Health and Human Services to submit legislation needed to correct errors and inconsistencies.

Committee Amendment "A" (H-685) would have replaced the bill. It proposed to require the Departments of Corrections, Education, Human Services, Mental Health, Mental Retardation and Substance Abuse Services and Public Safety to establish a coordinated information referral system and a single intake system for clients. By January 1, 1998, the named departments would have been required to report to the Joint Standing Committee on Health and Human Services regarding their progress in establishing the systems. The report would have been required to contain any legislation required to establish the systems. It would have added a fiscal note to the bill.

LD 932

An Act Regarding Foster Parent Insurance

PUBLIC 46

Sponsor(s)
LOVETT

Committee Report
OTP

Amendments Adopted

LD 932 proposed to require the Director of the Bureau of General Services within the Department of Administrative and Financial Services to provide insurance advice and services to specialized children's homes.

Enacted law summary

Public Law 1997, chapter 46 comprises the provisions of the bill. It provides for state insurance services for specialized children's homes.

LD 939

An Act to Require Certain Employees of Health Care Facilities to Wear Identification Badges

DIED BETWEEN BODIES

Sponsor(s)
GOLDTHWAIT

Committee Report
OTP-AM MAJ
ONTP MIN

Amendments Adopted

LD 939 proposed to require that persons who observe, examine or treat patients or residents at health care facilities wear identification badges.

Committee Amendment "A" (S-89) proposed to restrict the bill's provisions to fewer health care facilities and allows exceptions for safety purposes. It would have added a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-100) proposed to provide that if a health care facility permits or requires its employees to wear identification badges, that health care facility may not prohibit the display on those badges of the employees' licensure status.

LD 960**An Act to Repeal Medicaid Estate Recovery Laws****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMKE	ONTP MAJ OTP-AM MIN	

LD 960 proposed to repeal Medicaid estate recovery laws enacted by Public Law 1993, chapter 707, Part I, section 1, under which claims are made against the estates of persons who received Medicaid benefits.

Committee Amendment "A" (H-283) proposed to allow a recipient of Medicaid to claim one exemption of up to \$10,000 from the Medicaid estate recovery provisions. It would have added an appropriation of \$1,537,500 in fiscal year 1997-98 and \$2,132,000 in fiscal year 1998-99. It would have added a fiscal note to the bill.

LD 991**An Act to Address Issues Raised by the Select Committee to Study Rate Increases in Nursing Homes****PUBLIC 329**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TOWNSEND PINGREE	OTP-AM	H-415

LD 991 proposed to require the Department of Human Services to standardize nursing home rates and nursing home contracts that are used for all nursing home residents.

Committee Amendment "A" (H-415) This amendment proposed to replace the resolve. It proposed to require the Commissioner of Human Services to adopt rules to standardize nursing home contracts to clarify the rights and obligations of residents. It would allow contracts to contain other provisions specifically allowed by the standardized contract. The amendment also proposed to add a fiscal note to the resolve.

Enacted law summary

Public Law 1997, chapter 329 comprises the provisions of the Committee Amendment. It requires the Department of Human Services to adopt rules to standardize nursing home contracts.

LD 998**Resolve, to Establish the Commission to Study the Certificate of Need Laws****RESOLVE 82
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAXL J RUHLIN	OTP-AM	H-414 S-351 MICHAUD

LD 998 proposed to repeal the requirement that private health care providers, whether individual or group practices, be required to obtain a certificate of need.

Committee Amendment "A" (H-414) proposed to change the bill to a resolve and to create a study commission to study the State's certificate of need laws. The commission would be required to report to the Joint Standing Committee on Health and Human Services by December 1, 1997. The amendment also would add an appropriation and a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-351) proposed to specify that legislative members receive per diem and reimbursement for expenses, and to revise the appropriation section.

Enacted law summary

Resolves 1997, chapter 82 comprises the provisions of the Committee Amendment and Senate Amendment "A". It creates the Commission to Study the Certificate of Need Laws to report to the Health and Human Services Committee by December 1, 1997 with accompanying legislation. The resolve takes effect June 12, 1997.

LD 1002	An Act Directing the Department of Human Services to Submit an Annual Report on Children in Foster Care and on Adoption of Children in the Care and Custody of the Department	PUBLIC 322
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<u>Sponsor(s)</u> PERKINS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-303 H-408 MITCHELL J
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LD 1002 proposed to amend the child protective laws by making available to the public the following information: the child's gender and birthdate; the relevant court docket numbers; all residential placements and their dates, including placements for evaluation and treatment; all categories and levels of reimbursement paid for care of the child; and the date and reason for disposition of all actions under the Maine Revised Statutes, Title 22, chapter 1071.

Committee Amendment "A" (H-303) proposed to replace the bill. It proposed to require an annual report to the Joint Standing Committee on Health and Human Services from the Department of Human Services about the operations of the Bureau of Child and Family Services to cover the delivery of services to children in the care and custody of the department and their families and foster families and public access to information about the child welfare system.

House Amendment "A" to Committee Amendment "A" (H-408) proposed to allocate the language in the committee amendment to the Maine Revised Statutes.

Enacted law summary

Public Law 1997, chapter 322 comprises the provisions of the Committee Amendment and House Amendment "A". It requires an annual report on children in the care and custody of the State and public access to some information about the child welfare system.

LD 1006**An Act to Legalize Marijuana for Medical Purposes****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEVENS KILKELLY	ONTP	

LD 1006 proposed to reestablish the Marijuana Therapeutic Research Program, which was repealed December 31, 1987. The bill would have established the Participation Review Board to review and approve practitioners who want to participate in the program and any patient who wishes to participate in the program. Participation would have been limited to chemotherapy or radiation therapy and glaucoma patients who are not responding to conventional treatment or who are suffering severe side effects, and any other patient when medical evidence presented to the board justifies that participation. The patient's physician would have been allowed to write a prescription to be filled at a state or privately operated licensed pharmacy designated by the commissioner.

See also LD 1059.

LD 1020**An Act Allowing Increased Flexibility of Swing Beds****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT	ONTP	

LD 1020 proposed to require the Department of Human Services to adopt rules permitting a nursing home to designate the level of care for a bed based on the level of care of the person admitted and to change the level of care of a bed without requiring a certificate of need.

LD 1021**An Act to Promote the Establishment of Individual Development
Accounts by Low-income Families****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT KONTOS	ONTP	

LD 1021 proposed to authorize families receiving AFDC to establish individual development accounts that would be used to help the family become self-sufficient.

See LD 1716, Public Law 1997, chapter 518 on family development accounts.

LD 1044**An Act to Clarify Requirements Pertaining to the Maine Certificate of Need Act****PUBLIC 242**Sponsor(s)
FULLER
PINGREECommittee Report
OTP-AMAmendments Adopted
H-302

LD 1044 proposed to add a definition to the Maine Certificate of Need Act to clarify when the transfer of ownership of a health care facility is subject to certificate of need CON review.

Committee Amendment "A" (H-302) This amendment proposed to replace the original bill with language more specifically targeting the special class of management agreements that effectively transfer control of a health care facility in such a manner that a certificate of need review would have been triggered if the transfer had been accomplished by purchase. It would add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 242 extends certificate of need review to transfers of management of health care facilities that would require CON review if the transfer had been by purchase.

LD 1046**Resolve, to Study Registration for In-home Personal Care and Support Workers****RESOLVE 29
EMERGENCY**Sponsor(s)
FULLER
PENDLETON PCommittee Report
OTP-AMAmendments Adopted
H-284

LD 1046 proposed to establish the Task Force on Criminal Background Checks for Home Care Providers to study the implementation of a statewide criminal record check of home care providers.

Committee Amendment "A" (H-284) This amendment proposed to strike out the entire resolve and establish the Task Force on Registration of In-home Personal Care and Support Workers to study the registration of personal care and support workers who work in homes, assisted living centers, residential care facilities and supported living facilities.

Enacted law summary

Resolves 1997, chapter 29 establishes the Task Force on Registration of In-home Personal Care and Support Workers to study registration of personal care and support workers who work in homes, assisted living centers, residential care facilities and supported living facilities. The resolve takes effect May 16, 1997. The task force is required to report by January 1, 1998, to the Health and Human Services Committee.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAND	OTP-AM MAJ ONTP MIN	

LD 1059 proposed to create an affirmative defense to a charge of possession or cultivation of marijuana provided a licensed physician has recommended in writing use of the drug to alleviate negative medical symptoms and a number of other requirements are met including notification to law enforcement agencies. The bill would have required a minor to have the consent of a parent or legal guardian. It would have required the Attorney General to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 1999 on the experience of prosecuting authorities with claims of affirmative defense. The bill would have provided professional protection to physicians who recommended the use of marijuana to their patients.

Committee Amendment "A" (S-219) proposed to replace the bill. It would have enacted an affirmative defense to the civil infraction of possession of marijuana for persons suffering from glaucoma or nausea or vomiting as a result of AIDS or chemotherapy or radiation therapy for treatment of cancer. It would have required registration with the Department of Public Safety by persons using marijuana for medical purposes. The amendment would have added a fiscal note to the bill.

See also LD 1006.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON P COLWELL	OTP-AM	S-67

LD 1063 proposed to allow professional or registered nurses and advanced practice registered nurses employed by licensed home health care or hospice agencies in the course of employment to possess and administer certain preapproved noncontrolled prescription drugs according to written protocols developed by their employers through their medical advisory committees.

Committee Amendment "A" (S-67) This amendment proposed to place the new subchapter of the bill in the Maine Pharmacy Act. It would designate the Board of Commissioners of the Profession of Pharmacy to make the rules on the possession of noncontrolled prescription drugs by a professional nurse or an advanced practice registered nurse employed by a home health care provider. In the making of rules, it would require the Board of Commissioners of the Profession of Pharmacy to consult with the Board of Licensure in Medicine, the Board of Osteopathic Licensure, the State Board of Nursing, the Maine Hospice Council, the Department of Human Services and the Home Care Alliance of Maine. It would add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 109 comprises the provisions of the Committee Amendment. It amends the Maine Pharmacy Act to allow nurses employed by home health care providers to possess and administer noncontrolled prescription drugs. It requires rulemaking by the Board of Commissioners of the Profession of Pharmacy on the possession of noncontrolled prescription drugs by professional and advanced practice nurses employed by home health care providers.

LD 1066

An Act to Amend the Prehearing Settlement Process

PUBLIC 218

<u>Sponsor(s)</u> JOYNER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-286
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LD 1066 proposed to permit the Department of Human Services to formalize a prehearing settlement process.

Committee Amendment "A" (H-286) proposed to substitute more standard language for the adoption of rules, change the rules from major substantive rules to routine technical rules and add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 218 comprises the provisions of the Committee Amendment. It permits the Department of Human Services to adopt rules to establish a pre-hearing settlement process for DHS administrative processes.

LD 1108

An Act Regarding Medicaid Reimbursement for Nursing Facility Care

ONTP

<u>Sponsor(s)</u> JENKINS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1108 proposed to allow a nursing facility resident who is determined eligible for Medicaid and who is temporarily absent from the facility to reserve occupancy for a reasonable period of time and provide for payment to the nursing facility at the rate paid for residential care.

LD 1112

An Act to Require Mental Health Hospitals to Accept into Care Former Patients Who Refuse to Take Medication

ONTP

<u>Sponsor(s)</u> BENOIT	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1112 proposed to require the admission to a state mental health institute of an involuntarily committed patient who, while receiving care from a nonstate mental health facility, refuses to take medication prescribed for the treatment of the patient's mental illness.

LD 1113

An Act to Require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to Report the Facts of an Unnatural Death of a Patient under the Care of the Department to the Legislature

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT		

LD 1113 proposes to require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to disclose information concerning the death from unnatural causes of a patient admitted to a state mental health institute to the Joint Standing Committee on Health and Human Services. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1114

Resolve, to Extend the Protections against Spousal Impoverishment under the Medicaid Program

RESOLVE 42
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE KONTOS	OTP-AM	S-197

LD 1114 proposed to require the Department of Human Services to amend its rules to extend spousal support protections to the spouse of a resident of a cost-reimbursed residential care facility to the same extent as is now available to the spouse of a nursing facility resident. The bill would require that the department, in consultation with the Long-term Care Steering Committee and other interested groups, examine the support available under different long-term care programs to the spouses and families of single and married long-term care recipients and to make recommendations for ensuring greater equity in the income and resource protections extended to individuals who are similarly situated.

Committee Amendment "A" (S-197) proposed to delete the requirement on spousal protection and to add to the study duties of the Commissioner of Human Services and the Long-term Care Steering Committee. It would change the initial report date to January 1, 1998 and add a fiscal note to the bill.

Enacted law summary

Resolves 1997, chapter 42 comprises the provisions of the bill and the Committee Amendment. It requires the Commissioner of Human Services and the Long-term Care Steering Committee to study medical and financial eligibility screening and the availability and development of long-term care options. It requires an interim report by January 1, 1998, and a final report by November 1, 1998, to the Health and Human Services Committee. The resolve takes effect May 30, 1997.

LD 1117**An Act to Assist Low-income Parents to Obtain Access to Education****ONTP**Sponsor(s)
PINGREE
KONTOSCommittee Report
ONTPAmendments Adopted

LD 1117 proposed to establish the Parents as Scholars Program to offer an alternative to the aid to families with dependent children program for low-income parents who want to participate in an education or training program for 2 to 4 years. The bill would establish the Parents as Scholars Joint Planning Committee to aid in implementing the Parents as Scholars Program.

See LD 1896, Public Law 1997, chapter 530, sections B-1 and B-2, as they enact 22 MRSA chapter 1054-B.

LD 1133**Resolve, to Ensure Quality Care to Residents of Nursing Facilities through the Establishment of a Task Force on Minimum Staffing****RESOLVE 34
EMERGENCY**Sponsor(s)
ETNIER
PINGREECommittee Report
OTP-AMAmendments Adopted
H-304

LD 1133 proposed to direct the Department of Human Services to convene a task force to study current departmental rules concerning minimum staffing levels required of nursing facilities with the purpose of recommending to the department how those rules might be amended to better meet the needs of residents of nursing facilities. The task force would consist of representatives of the Department of Human Services, residents of nursing facilities or families of residents, agencies who serve residents and their families and providers of nursing facility services.

Committee Amendment "A" (H-304) proposed to allow the Commissioner of Human Services to add persons other than those representatives named in the resolve to the task force on minimum staffing established in the resolve. It would add a fiscal note to the resolve.

Enacted law summary

Resolve 1997, chapter 34 comprises the provisions of the bill and the Committee Amendment. It directs the Department of Human Services to convene a task force on staffing levels in nursing facilities. It directs the task force to report to the Health and Human Services Committee within 90 days of the effective date. The resolve takes effect May 22, 1997.

LD 1153

**An Act to Require that Day Care Facilities for Children and Infants
Be Smoke Free**

PUBLIC 150

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERRY	OTP MAJ	
MILLS	ONTP MIN	

LD 1153 proposed to extend the prohibition on smoking in homes used as day care homes to prohibit smoking in rooms adjacent to those in which children are being cared for.

Enacted law summary

Public Law 1997, chapter 150 comprises the provisions of the bill. It prohibits smoking in private homes used as day care homes in rooms that are adjacent to rooms used for day care.

LD 1176

An Act to Provide Continuity and Flexibility for Long-term Care

PUBLIC 488

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	OTP-AM	S-233
GAGNE		

LD 1176 proposed to provide for a uniform system of reimbursement for long-term care, based on the relative severity of a patient's needs and to allow a facility to obtain a single license to provide both nursing home care and residential care and to provide that a licensed nursing home may also provide residential care under its preexisting license.

Committee Amendment "A" (S-233) proposed to replace the bill. It would require the Commissioner of Human Services to adopt rules to provide a single license to facilities providing nursing home and assisted living services and provide coordinated life safety code inspection.

Enacted law summary

Public Law 1997, chapter 488 comprises the provisions of the Committee Amendment. It provides the option of single licensure for nursing homes providing assisted living services and coordinated life safety code inspection and licensing inspection.

LD 1199 An Act to Ensure Adequate Nutrition and Support for Low-income Legal Immigrants CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J PARADIS		

LD 1199 proposes to provide state assistance to aged, blind and disabled legal immigrants who will no longer be eligible for assistance from the federal Supplemental Security Income Program as a result of changes in federal law. It provides food assistance to low-income households no longer eligible for the federal Food Stamp Program. It requires the Department of Human Services to help legal immigrants seeking to become naturalized citizens to achieve that status. The bill was carried over to the Second Regular Session of the 118th Legislature.

See also LD 1896, Public Law 1997, chapter 530, as it enacted 22 MRSA §3762, subsection 3, paragraph B, subparagraph 2 for assistance to certain noncitizens.

LD 1201 Resolve, to Review Medicines in the Elderly Low-cost Drug Card Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERRY	ONTP	

LD 1201 proposed to direct the Department of Human Services and the Bureau of Taxation to jointly appoint a work group to review and update the prescription and nonprescription drugs available through the Elderly Low-cost Drug Card Program.

LD 1211 An Act to Reduce Teenage Smoking by Increasing the Tax on Cigarettes to Fund an Advertising Campaign ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY KILKELLY	ONTP	

LD 1211 proposed to direct the Department of Human Services to carry out an ongoing advertising campaign aimed at the prevention and cessation of tobacco use by teenagers. The program is funded by a cigarette tax increase of \$.25 per pack.

See also committee bills, LD 1887 and LD 1888 and Governor King's bill, LD 1898.

See also LD 1904, Public Law 1997, chapter 560.

LD 1224 **An Act to Require Minimum Standards for State-funded Child Care Providers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS PIEH	ONTP	

LD 1224 proposed to create an advanced level of certification for home baby-sitting services for providers who provide services for which state funding is received. The advanced level of certification would require a background check, training in cardiopulmonary resuscitation and first aid, infection control and immunization requirements and an inspection by the local fire department. A provider without advanced certification would be allowed to provide services for which state funding is received for 2 months while seeking advanced certification.

See also committee bill, LD 1893, Public Law 1997, chapter 494, as it enacts 22 MRSA §8302-B. This provision of the law requires a background check and health and safety and physical premises safety and information on training opportunities information and permits inspection by the department.

LD 1225 **An Act to Amend the Maine Children's Trust Incorporated** **PUBLIC 149**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLEVELAND	OTP	

LD 1225 proposed to amend the laws regarding the Maine Children's Trust Incorporated. The definition of "income" would be amended to exclude funds received from sources other than the tax checkoff. Restrictions on the use of federal grant funds would be eliminated.

Enacted law summary

Public Law 1997, chapter 149 comprises the provisions of the bill. It allows the Maine Children's Trust to increase its board size. It removes restrictions on using federal grants and allows funds other than tax checkoff funds to be outside the definition of income and free of the restriction that administrative expenses be restricted to a percentage of income.

LD 1230 **An Act Concerning the Outdoor Gathering Laws** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT MERES	ONTP MAJ OTP MIN	

LD 1230 proposed to amend the mass gathering laws by establishing health and safety rules to regulate mass outdoor gatherings.

LD 1241**Resolve, to Improve the Delivery and Financing of Long-term Care****INDEF PP**

Sponsor(s)
BENNETT
WINSOR

Committee Report
OTP-AM

Amendments Adopted

LD 1241 proposed to eliminate occupancy-related penalties applied to nursing facilities with 60 or fewer beds in the reimbursement principles and to correct a technical reading of the days awaiting placement provision of the statute. It proposed to eliminate reductions in payment currently used as a means of sanctioning facilities for paperwork errors. It proposed to require that the forms now used to calculate case mix adjustments for payment purposes and the forms used to determine medical eligibility must be combined, so that a single set of forms and protocols is required for both purposes. It proposed to require that nursing facilities perform these assessments in accordance with guidelines by the Department of Human Services. It proposed to require the department to provide a means for facilities to gain access to data concerning quality and efficiency.

Committee Amendment "A" (S-208) proposed to replace the bill. It would have required the Commissioner of Human Services to adopt rules amending the principles of reimbursement for nursing facilities to apply an occupancy adjustment to facilities with 60 or fewer beds when the annual level of occupancy is less than 85% and added an appropriation and a fiscal note.

See also LD 1138, Public Law 1997, chapter 395, Part N-1 and N-2, which contains the 85% adjustment factor provision similar to the Committee Amendment and an appropriation of \$37,245 in FY 1997-98.

LD 1255**An Act to Simplify Child Care Regulation in Maine****ONTP**

Sponsor(s)
TOWNSEND

Committee Report
ONTP

Amendments Adopted

LD 1255 proposed to require licensing of all family child care homes by July 30, 1999. The bill would have continued to allow individuals to care for up to 2 children unrelated to the care provider without being licensed. It would not have affected individuals caring for children of relatives.

See LD 1893, the committee bill on child care regulation, enacted as Public Law 1997, chapter 494.

LD 1275**An Act to Allow a Separate, Nonsmoking Area for a Beano or Bingo Game****PUBLIC 232**

Sponsor(s)
DUNLAP
CATHCART

Committee Report
OTP-AM

Amendments Adopted
H-285

LD 1275 proposed to provide that an organization licensed to conduct beano or bingo games may establish a nonsmoking area in a room or outdoor area separate from the area where numbers are called if that room or outdoor

area had a master board, a public address system and an employee of the licensee present at all times during a beano or bingo game.

Committee Amendment "A" (H-285) This amendment proposed to replace the bill. It would allow beano or bingo games to have nonsmoking areas that are visible to the smoking areas and that have public address systems and master boards, electric flashboards or chalkboards and a member of the licensee present. The amendment would add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 232 comprises the provisions of the Committee Amendment. It allows beano and bingo games to establish separate non-smoking areas with public address systems, master boards, electric flashboards or chalkboards and a member of the licensee present.

LD 1291	An Act to Prohibit Nursing Homes from Charging Private-payor Patients More Than Medicaid Patients	ONTP
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<u>Sponsor(s)</u> PINGREE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1291 proposed to provide that nursing homes that accept Medicaid patients may not charge higher fees to private pay residents.

See also LD 657, Resolves 1997, chapter 81, establishing the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities.

LD 1302	An Act to Amend the Aid to Families with Dependent Children Program	CARRIED OVER
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<u>Sponsor(s)</u> RAND SAXL M	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 1302 proposes to authorize the Department of Human Services to continue Maine's AFDC program, using money from the Temporary Assistance for Needy Families block grant funds. It further establishes that in Maine there will be no time limit on receipt of aid to families with dependent children and that victims of domestic violence who would have difficulty participating in ASPIRE-JOBS are exempt from such participation. This bill also proposes to place in state law the due process and fairness protections that are currently part of the AFDC program, but have been repealed from federal law. This bill was carried over to the Second Regular Session of the 118th Legislature.

See also LD 1896, Public Law 1997, chapter 530, the committee bill on welfare reform.

LD 1326

An Act to Clarify the Responsibilities of the Institute Councils of the Augusta Mental Health Institute and the Bangor Mental Health Institute

PUBLIC 365

Sponsor(s)
MARVIN
MITCHELL B

Committee Report
OTP-AM

Amendments Adopted
H-585

LD 1326 proposed to establish boards of directors for the Augusta Mental Health Institute and the Bangor Mental Health Institute to work with the institute councils and to oversee the institutes, including the institutes' systems for assessing and improving the quality of care, management of risk and liability and safety plans.

Committee Amendment "A" (H-585) proposed to replace the bill. It would change the title and clarify and add to the responsibilities of the mental institute quality improvement councils established by the Department of Mental Health, Mental Retardation and Substance Abuse Services, giving them evaluation and advice functions resembling those of boards of directors. It would clarify the duties of the 7 area quality improvement councils and add a fiscal note.

Enacted law summary

Public Law 1997, chapter 365, comprises the provisions of the Committee Amendment. It clarifies the duties of the state mental health institute quality improvement councils and the 7 other area councils.

LD 1348

Resolve, to Direct the Department of Human Services to Include Vouchers for Personal Hygiene Products with Food Stamps

ONTP

Sponsor(s)
GERRY

Committee Report
ONTP

Amendments Adopted

LD 1348 proposed to direct the Department of Human Services to administer, with the food stamp program, a voucher system for the purchase of personal hygiene products, such as laundry soap and toothpaste.

LD 1364

An Act to Establish Ratios for Direct-care Providers to Nursing Home Residents

ONTP

Sponsor(s)
BAKER C

Committee Report
ONTP

Amendments Adopted

LD 1364 proposed to require the Department of Human Services to establish the specific ratios for direct care nursing staff to patients in nursing facilities.

See also LD 1133, Resolves 1997, chapter 34, directing the Department of Human Services to convene a task force on minimum staffing levels in nursing facilities.

LD 1369 **An Act Concerning Due Process Regarding Certified Nursing Assistants** **ONTP**

<u>Sponsor(s)</u> BAKER C	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1369 proposed to require the Department of Human Services to adopt rules providing certain due process rights to a certified nursing assistant confronted with specific documented findings of abuse, neglect or misappropriation of property under the Maine Revised Statutes, Title 22, section 1812-G.

See also LD 1046, Resolves 1997, chapter 29, establishing the Task Force on Registration for In-home Personal Care and Support Workers.

LD 1380 **An Act to Clarify and Facilitate Transfers of Health Care Facility Capacity** **ONTP**

<u>Sponsor(s)</u> MURRAY	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1380 proposed to amend the certificate of need laws as they apply to nursing facilities, freeing from review changes in bed number among different facilities under unified control.

LD 1381 **Resolve, to Require a Study of Training in Sudden Infant Death Syndrome** **RESOLVE 33**

<u>Sponsor(s)</u> KILKELLY MITCHELL J	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-154
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LD 1381 proposed to require a training course in sudden infant death syndrome as part of the Maine Fire Training and Education Program as a basic training requirement for law enforcement officers and as part of the minimum licensing and relicensing requirements for emergency medical services persons.

Committee Amendment "A" (S-154) proposed to replace the bill. It would direct the Commissioner of Public Safety to convene a study group to examine issues related to training in sudden infant death syndrome and require a report and any recommended legislation to be submitted to the Joint Standing Committee on Health and Human Services by December 1, 1997.

Enacted law summary

Resolves 1997, chapter 33 comprises the provisions of the Committee Amendment. It provides for the Commissioner of Public Safety to convene a study group on training in sudden infant death syndrome with a report to the Health and Human Services Committee by December 1, 1997.

LD 1403 **An Act to Require Consent of a Legal Guardian for the Provision of Prescription Contraception to a Minor** **DIED IN CONCURRENCE**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACK	ONTP MAJ	
HALL	OTP-AM MIN	

LD 1403 proposed to require physicians or others legally qualified to provide medically accepted contraceptive supplies or procedures to obtain consent from a legal guardian of a minor before providing prescription contraceptive supplies or procedures to the minor.

Committee Amendment "A" (H-472) proposed to replace the bill. It would have clarified that the current requirements applicable to minor access to health care apply to prescription contraceptive supplies. It would have separated those supplies from the general rules applicable to family planning services.

House Amendment "A" (H-490) proposed to require physicians or others legally qualified to provide contraceptive supplies or procedures to notify the legal guardian of a person under 14 years of age before providing such supplies or procedures to that person.

LD 1411 **An Act to Facilitate Disbursement of and Accounting for Issuances of Food Supplement Benefits** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNLAP	ONTP	
RUHLIN		

LD 1411 proposed to require the Department of Human Services to institute a system of issuing food supplement benefits through an electronic debit card.

LD 1413 **An Act to Maintain the Augusta Mental Health Institute and the Bangor Mental Health Institute** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'BRIEN	ONTP MAJ	
	OTP-A MIN	

LD 1413 proposed to require that AMHI and BMHI continue to operate, to set standards for acting superintendents at those hospitals, to require the use of standardized forms and to set standards for admission to the mental health institutes.

Committee Amendment "A" (H-692) is the minority report of the committee. It would have amended the bill by deleting the provision on qualifications of acting superintendents and added a limit of 6 months for a person to serve as acting superintendent.

LD 1427	An Act to Create Quality Employment and Business Ownership Opportunities for Social Assistance Recipients	PUBLIC 484 EMERGENCY
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<u>Sponsor(s)</u> PINGREE	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-342
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LD 1427 proposed to establish the Quality Employment Opportunities and Business Ownership Opportunities program, a demonstration project of the Department of Human Services and the Department of Economic and Community Development. Grants would be made by the departments to eligible organizations under the program.

Committee Amendment "A" (S-342) proposed to establish the Quality Employment and Business Ownership Opportunities program. The amendment would add an emergency preamble and emergency clause and restrict eligible participants to persons receiving TANF. It would add the Department of Labor to the cooperating departments and reduce the time for the demonstration project to 2 years. It would require the departments and grantees to provide a progress report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Business and Economic Development by March 15, 1998 and a final report, including recommendations on continuation of the program, by January 15, 2000. It would add a fiscal note and provide funding of \$300,000 per year for the grant program. The law takes effect June 11, 1997.

Enacted law summary

Public Law 1997, chapter 484 comprises the provisions of the bill and the committee amendment. It establishes a 2-year pilot project, the Quality Employment and Business Ownership Opportunities program to aid persons receiving TANF assistance in obtaining employment. It requires an interim report by 3/15/98 and a final report by 1/1/2000.

LD 1432	Resolve, to Encourage Nonprofit Entities to Work Together in a Community P.R.I.D.E. Program	ONTP
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<u>Sponsor(s)</u> JENKINS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1432 proposed to require the Departments of Human Services, Mental Health, Mental Retardation and Substance Abuse Services, Economic and Community Development, Education, and Labor to encourage nonprofit entities to work together in a statewide community Personal Responsibility In Daily Effort "P.R.I.D.E." program to more effectively help residents of this State to secure adequate food and clothing and counseling, child care, educational, job training and medical services.

LD 1439**Resolve, Requiring the Office of Vital Statistics to Conduct a Study of Medical Treatment Records Disposition****ONTP**

Sponsor(s)
SNOWE-MELLO
KANE

Committee Report
ONTP

Amendments Adopted

LD 1439 proposed to require the Department of Human Services, Office of Vital Statistics to conduct a study to determine the appropriate disposition of medical treatment records of a deceased patient or of a patient who has moved without a forwarding address and to report back to the Joint Standing Committee on Health and Human Services no later than January 1, 1998.

LD 1492**An Act to Provide Recipients of All Assisted Living Programs and Services Residents' Rights and Equivalent Reporting and Enforcement Opportunities****PUBLIC 260**

Sponsor(s)
PINGREE

Committee Report
OTP

Amendments Adopted

LD 1492 proposed to extend the private right of action now available to residents of licensed nursing facilities and licensed assisted living facilities to all individuals receiving assisted living programs and services. The bill proposed to clarify that assisted living services rules describing residents' rights adopted by the Department of Human Services apply to all providers of assisted living services whether licensed or unlicensed.

Enacted law summary

Public Law 1997, chapter 260 comprises the provisions of the bill. It applies the rights of nursing home residents to residents in assisted living facilities.

LD 1496**An Act to Streamline the Long-term Care Regulatory System****ONTP**

Sponsor(s)
BENNETT
GAGNE

Committee Report
ONTP

Amendments Adopted

LD 1496 proposed to eliminate occupancy-related penalties for all nursing facilities, to correct a technical reading of the days-awaiting-placement provision of the statute to eliminate reductions in payment currently used to sanction facilities for paperwork errors, to require the department to give facilities access to aggregate data concerning quality and efficiency, case mix, resource use and other factors, and to establish a Task Force to Study the Delivery of Long-term Care in Maine. It also proposed to require the Department of Human Services to amend its rules to extend spousal support protections to the spouse of a resident of a cost-reimbursed residential care facility, to amend the medical eligibility for Medicaid reimbursement for nursing facility care and to grant eligibility for services required on 3 consecutive days in that period.

LD 1526**An Act to Redefine the Community Services of the Mental Health System****PUBLIC 371**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS MITCHELL J	OTP-AM	S-257

LD 1526 proposed to define "major mental illness" and extend the requirement for delivering local mental health services to persons who may not be under the authority of the department but who have a major mental illness. The bill would have required the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to review other states' laws regarding the provision of such services and to report to the Legislature on implementing the extension of local mental health services to persons not under the department's authority.

Committee Amendment "A" (S-257) proposed to require the mental health system quality improvement councils to put together plans for the delivery of services to adults and children with major mental illness. It would require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to report by January 1, 1998 on recommendations and legislation that would be necessary to provide services to adults and children with major mental illness. It would replace the definition of major mental illness with a definition to be adopted by the department. It would delete a reference in the study of service delivery systems to the laws of Missouri.

Enacted law summary

Public Law 1997, chapter 371 comprises the provisions of the bill and the Committee Amendment. It adds planning for children's services and oversight of the delivery of services to persons who have a major mental illness to the duties of the quality improvement councils. It requires a report by 1/1/98 to the Health and Human Services Committee on the operation of the quality, improvement councils and the delivery of services to persons who have a major mental illness.

LD 1541**Resolve, Directing the Department of Human Services to Apply for a Waiver to Enable People with Disabilities to Purchase Medicaid Health Insurance****RESOLVE 59**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KERR	OTP-AM	H-583

LD 1541 proposed to require the Department of Human Services to allow people with disabilities to purchase Medicaid coverage on a sliding fee basis if they work at least 10 hours per week and their employers do not offer adequate health care insurance. The resolve would have permitted the purchase of coverage for children with disabilities whose parents work and required the department to seek a federal waiver to permit federal Medicaid funding.

Committee Amendment "A" (H-583) proposed to direct the Department of Human Services to apply for a waiver to enable people with disabilities who are covered by the Medicaid program to purchase health care coverage under

the Medicaid program. It proposed to require that the waiver program be revenue-neutral and added appropriation and allocation sections and a fiscal note to the bill.

Enacted law summary

Resolves 1997, chapter 59 directs the Department of Human Services to apply for a Medicaid waiver to make Medicaid coverage available to people with disabilities who are working and to children with disabilities whose parents work. The program is required to be revenue neutral.

LD 1570 An Act to Require Tobacco Manufacturers to Disclose Ingredients CARRIED OVER
Contained within Tobacco Products

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS NUTTING		

LD 1570 proposed to require manufacturers of cigarettes and smokeless tobacco to disclose annually in reports to the Department of Human Services added ingredients and nicotine yield ratings. This legislation is modeled on recently enacted Massachusetts law. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1575 An Act to Make Health Provider Data More Accessible to the ONTP
Public

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUCK	ONTP	

LD 1575 proposed to require the Maine Health Data Organization to collect and make public data identified by providers on rates of morbidity, infection, mortality and surgery.

LD 1576 An Act to Require that Life-support Systems in Medical Facilities ONTP
Have Back-up Generators

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUCK RAND	ONTP	

LD 1576 proposed to require a hospital or other medical care institution that maintains a life-support system or life-support equipment to maintain a back-up power generator to ensure the uninterrupted operation of the system or equipment.

LD 1584**An Act Regarding Confidentiality of Information Concerning Residents of Certain Facilities****PUBLIC 342**Sponsor(s)
WINNCommittee Report
OTP-AMAmendments Adopted
H-412

LD 1584 proposed to direct the Department of Human Services to require residential care facilities, congregate housing services programs, drug treatment centers and children's homes to develop policies for releasing nontreatment information about residents to guardians and certain public agencies modeled on confidentiality policies developed by the department. The bill would have required the Interdepartmental Council to develop a plan for the informal exchange of information about children receiving residential services.

Committee Amendment "A" (H-412) proposed to require that the Department of Human Services to establish by rule confidentiality guidelines for releasing nontreatment information about minor residents in residential care facilities, congregate housing, drug treatment centers and children's homes to law enforcement agencies, schools, parents, guardians or other appropriate public agencies. The amendment would add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 342 comprises the provisions of the Committee Amendment. It directs the Department of Human Services to adopt model confidentiality guidelines regarding information on minor residents of residential care facilities, congregate housing, drug treatment centers and children's homes.

LD 1585**An Act to Provide Additional Adoption Assistance to State Employees****CARRIED OVER**Sponsor(s)
SPEARCommittee ReportAmendments Adopted

LD 1585 proposes to establish an additional adoption assistance program for employees of this State who adopt children. Benefits are proposed to be limited to actual costs of adoption, including but not limited to medical costs not covered by insurance, fees of licensed adoption agencies, fees for the court process and attorneys and fees for investigations. The bill was carried over to the Second Regular Session of the 118th Legislature.

LD 1620**An Act to Amend the Laws Regarding Intervenor Status for Foster Parents in Certain Cases of the Department of Human Services****PUBLIC 343**Sponsor(s)
MCALEVEY
MITCHELL BCommittee Report
OTP-AMAmendments Adopted
H-411

LD 1620 proposed to change the requirement for becoming an intervenor in child protection proceeding for foster parents by decreasing the requirement of having the child in the foster parent's home from one year to 90 days.

Committee Amendment "A" (H-411) proposed to amend the bill, setting the requirement for becoming an intervenor at 120 days.

Enacted law summary

Public Law 1997, chapter 343 comprises the provisions of the bill and the Committee Amendment. It decreases the time period for a foster parent to obtain intervenor status in court from 365 days to 120 days.

LD 1627

An Act to Promote Healthy Maine Families

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E LAWRENCE	ONTP	

LD 1627 proposed to promote the Youth Smoking Prevention Fund to reduce the prevalence of tobacco use and abuse by Maine youth, to increase the number of children and working adults eligible for Medicaid and to provide prescription drug benefits to the qualified elderly. The bill would have increased the tax on tobacco products and dedicated the funding from the increase to the Youth Smoking Prevention Fund and to the expanded Medicaid program, which is funded out of a new Healthy Families Fund.

See also committee bills, LD 1886 and 1887 and Governor King's bill, LD 1898.

See also LD 1904, Public Law 1997, chapter 560.

LD 1634

An Act to Provide Information to Consumers of Health Care

PUBLIC 337

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON P NASS	OTP-AM	S-200

LD 1634 proposed to provide consumers the freedom to choose any licensed home health care provider available in their area. It would have required hospitals to provide to patients who require home health care a list of licensed home health care providers with a disclosure of any financial interest of the hospital in those agencies.

Committee Amendment "A" (S-200) proposed to require that hospitals and nursing facilities provide for patients or residents who need nursing facility care or home health care information about the providers in the area and disclose any financial connection between that entity and or nursing facility or home health provider.

Enacted law summary

Public Law 1997 chapter 337 comprises the provisions of the Committee Amendment. It requires hospitals and nursing facilities to give information about home health and nursing home providers of services and about financial connections to all residents or patients being discharged who need those services.

LD 1663**An Act to Ensure the Appropriate Treatment of Autism****ONTP**

Sponsor(s)
SMALL

Committee Report
ONTP

Amendments Adopted

LD 1663 proposed to establish guidelines concerning the method, frequency and intensity of intervention that is provided to an individual with autism. The bill would have required that a task force be established to set qualifications for persons that provide intervention for individuals diagnosed with autism and would have set standards for the practitioners who treat autism.

LD 1673**An Act to Amend the Child and Family Services and Child Protection Act****PUBLIC 328**

Sponsor(s)
MARVIN

Committee Report
OTP-AM

Amendments Adopted
H-430

LD 1673 proposed to enable the Commissioner of Human Services to release information pertaining to child abuse or neglect when criminal action had been taken as a result of abuse or neglect or where public disclosure of an abuse and neglect case had already occurred.

Committee Amendment "A" (H-430) proposed to allow the Attorney General to advise the Commissioner of Human Services in making a decision whether to release child welfare information and to add the age of the child to information that may be released. The amendment would require agreement of the guardian ad litem and the commissioner for children under 13 years of age and agreement of the guardian ad litem, the child and the commissioner for children 13 years of age or older when the information released contains the name and age of the child. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 328 comprises the provisions of the bill and the Committee Amendment. It allows the Commissioner of Human Services to release limited child protective information in limited circumstances. It provides for advice from the Attorney General to the Commissioner regarding the release of information.

LD 1677**An Act to Improve Children's Health****CARRIED OVER**

Sponsor(s)
LONGLEY
MITCHELL E

Committee Report

Amendments Adopted

LD 1677 proposes to establish the Children's Health Care Program to maximize the access of children to primary, preventive and acute health care; health programs; and information about illness, prevention of illness and health

maintenance. The program would be administered by the Commissioner of Human Services and the advisory committee on Medicaid.

The bill also proposed to establish a tobacco use reduction initiative, administered by the Commissioner of Human Services in cooperation with the Director of the Bureau of Public Health, to educate the public, particularly persons under 19 years of age, regarding the risks of tobacco use.

The initiatives proposed by this bill would be funded by increases in the cigarette tax, the tax on smokeless tobacco and the tax on other tobacco products. The bill was carried over to the Second Regular Session of the 118th Legislature.

See LD 1887 and 1888 and Governor King's bill, LD 1898. See also LD 1904, Public Law 1997, chapter 560.

LD 1684	Resolve, to Establish 2 Pilot Projects to Promote Innovations in and Improve Long-term Care	HELD BY GOVERNOR
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT FULLER	OTP-AM	S-256 S-406 MICHAUD

LD 1684 proposed to direct the Department of Human Services to apply for a waiver to establish demonstration projects to provide long-term care services, health care and housing in flexible arrangements from a number of providers. It would have required the establishment of a working group to advise the department. The demonstration projects would have been designed to increase choice and control for consumers of long-term care services and housing. The pilot projects would have operated for a minimum of 2 years. Reports would have been due to the Governor and the Legislature on January 1, 1998 and January 1, 1999.

Committee Amendment "A" (S-256) proposed to change the date of the application for a waiver to July 1, 1998. It would have required any savings under the waiver to be used to increase coverage for consumers of long-term care services. It would have set an implementation date 180 days from the date of the granting of the waiver. It would have changed the length of the pilot projects from 2 years to 3 years and added an appropriation, allocation sections and a fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-708) proposed to clarify a reporting date.

Senate Amendment "A" to Committee Amendment "A" (S-406) proposed to eliminate the appropriation and allocation sections.

The bill was amended by S-256 and S-406 was enacted by the Legislature, but is being held unsigned by the Governor.

LD 1691

**An Act to Significantly Reduce Smoking and Tobacco Use among
the Young People of Maine**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J	ONTP	

LD 1691 proposed to establish a self-funded program to reduce dramatically the use of tobacco products by young people in this State, and to fund other health care, tax relief and business transition programs the Legislature considers appropriate. It would have raised tobacco taxes \$1 per pack of cigarettes and dedicated the funds for health care, anti-smoking campaigns, increased enforcement and held harmless the General Fund tobacco tax revenues.

See also committee bills, LD 1886 and 1887 and Governor King's bill, LD 1898. See also LD 1904, Public Law 1997, chapter 560.

LD 1693

An Act to Amend the Maine Health Data Organization Laws

**PUBLIC 525
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	H-206 MITCHELL, J S-369 MICHAUD

LD 1693, which was a committee bill reported pursuant to joint order, proposed to correct 2 unintended omissions in the Maine Health Data Organization's enabling legislation. It would have added radiological facilities to the definition of health care facility, and services is added to the statutory section requiring ambulatory data to be filed by health care providers. Both additions would maintain the status quo and require no additional providers to submit data. This bill proposed to allow any interest that is generated from the dedicated revenues to remain in the dedicated account. It would have changed the designation of rules adopted by the Maine Health Data Organization board from major substantive rules to routine technical rules. It would have provided for permanent funding from fees charged by the organization and from assessments on providers of health care services and insurers. It would have added emergency language to ensure that a method of permanent funding is provided and the organization is authorized to conduct its business.

House Amendment "A" (H-206) proposed to add a fiscal note to the bill.

Senate Amendment "A" (S-369) proposed to undedicate the interest income earned on the Maine Health Data Organization dedicated fund balances.

Enacted law summary

Public Law 1997, Chapter 525 comprises the provisions of the bill and House Amendment "A" and Senate Amendment "A". It includes radiological facilities as health care facilities and broadens ambulatory surgical data to include services. It designates organization rules as routine technical rules. It provides for permanent funding.

LD 1700**An Act to Simplify the Process for Applying for State Services for People with Disabilities****INDEF PP**

Sponsor(s)
WATSON
HARRIMAN

Committee Report
OTP-AM

Amendments Adopted

LD 1700 proposed to require the Department of Human Services to establish a central clearinghouse of information concerning all state or federal assistance programs for providing services to people with disabilities and to create and make available a single application form to be used by the department to determine an applicant's eligibility for any state or federal assistance program.

Committee Amendment "A" (H-702) proposed to replace the bill. It would have required the State to develop an automated service delivery system for providing information on services available to persons with disabilities, including information on eligibility for state and, to the extent possible, federal assistance programs by July 1, 2000. The amendment would have required the system to guard consumer confidentiality and to provide primary service coordinators to work with the consumers and providers of services and added a fiscal note to the bill.

LD 1701**An Act to Promote Economic Independence for Low-income Families****PUBLIC 284**

Sponsor(s)
GREEN
PARADIS

Committee Report
OTP

Amendments Adopted

LD 1701 proposed to require the Department of Human Services to contract with a nonprofit corporation such as Women Unlimited to provide nontraditional job training and placement services for persons receiving assistance under the temporary assistance to needy families program.

Enacted law summary

Public Law 1997, chapter 284 comprises the provisions of the bill. It requires the Department of Human Services to contract for non-traditional job training and placement services for TANF recipients.

LD 1703**An Act to Prohibit Smoking in Restaurants****ONTP**

Sponsor(s)
ETNIER
MILLS

Committee Report
ONTP

Amendments Adopted

LD 1703 proposed to include a restaurant in the definition of "public place" where smoking is prohibited. Smoking would have been permitted in a Class A lounge or in a separate, enclosed area of a restaurant that is used primarily for the service of alcoholic beverages.

See also LD 413.

LD 1706

An Act to Review Registration of Certified Nursing Assistants

PUBLIC 465

Sponsor(s)
BRUNO

Committee Report
OTP

Amendments Adopted

LD 1706 proposed to require a listed nursing assistant's name on the CNA Registry to be annotated with any criminal convictions except those Class D and Class E convictions over 10 years old that did not involve as a victim a patient, client or resident of a health care entity. The bill would require the department to verify the credentials and training of all certified nursing assistants and all health care institutions to check with the registry before hiring any certified nursing assistants.

Enacted law summary

Public Law 1997, chapter 465 requires annotation on the CNA registry of criminal convictions except old Class D and E convictions not pertinent to CNA employment. It requires DHS to verify the credentials and trainings of all CNAs and required health care facilities to check the CNA registry prior to hiring.

LD 1715

An Act to Conform the State Revolving Loan Fund for Drinking Water with the 1996 Amendments to the Federal Safe Drinking Water Act

**PUBLIC 555
EMERGENCY**

Sponsor(s)
MITCHELL E

Committee Report
OTP-AM

Amendments Adopted
H-522

LD 1715 proposed to conform the state revolving loan fund with the 1996 amendments to the federal Safe Drinking Water Act of 1996.

Committee Amendment "A" (H-522) proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 555 comprises the provisions of the bill and the Committee Amendment. It amends the provisions of the Maine Municipal Bond Bank laws and the Safe Drinking Water Revolving Loan Fund Laws to conform with federal law. The law takes effect June 12, 1997.

LD 1716**An Act to Establish Family Development Accounts****PUBLIC 518
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KONTOS GOLDTHWAIT	OTP-AM	H-704

LD 1716 proposed to establish the Family Development Account Program to be administered by the Department of Economic and Community Development to provide eligible families and individuals with an opportunity to establish special savings accounts for money that may be used for education, home ownership or small business capitalization.

Committee Amendment "A" (H-704) proposed to replace the bill, combining the provisions of the bill with provisions of LD 1021. It would restrict account holders to persons below 200% of the federal poverty level. It would allow administrative expenses of 15% and add a fiscal note to the bill.

House Amendment "A" to Committee Amendment "A" (H-728) proposed to provide for reimbursement for legislators serving on the Advisory Committee on Family Development Accounts. This amendment was not accepted.

Enacted law summary

Public Law 1997, chapter 518 comprises the provisions of the Committee Amendment. It allows families below 200% of the federal poverty level to open family development accounts to save for specific purposes. Assets in the account are not counted as assets for the purposes of TANF or general assistance. Matching contributions may be made through the community development organization that administers the accounts. Administrative expenses in the community development organization are limited to 15% of the family development account reserve fund.

LD 1722**An Act to Ensure Quality Care for Persons with Mental Illness****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT COWGER	ONTP	

LD 1722 proposed to require the Department of Mental Health, Mental Retardation and Substance Abuse Services to develop and maintain a fully responsive mental health system that provides a continuum of mental health care, including the state mental health facilities.

LD 1737**An Act to Provide for Confidentiality of Health Care Information****CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER		

LD 1737 proposes to establish safeguards for maintaining the confidentiality, security and integrity of health care information. It establishes requirements for confidentiality and authorization by patients for disclosure of their health care information and exceptions to the requirement of authorization. It removes the requirement that HIV information be treated differently from other health information and enhances the confidentiality of the medical record. This bill was carried over to the Second Regular Session of the 118th Legislature.

See also LD 1779.

LD 1743

Resolve, Regarding Consumer-directed Personal Assistance Services and Respite Services

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS PIEH	ONTP	

LD 1743 proposed to require that consumer-directed personal assistance services be made available to consumers who are able to self-direct the management of that care and to consumers who need the assistance of an unpaid steward to manage the care. The resolve would have required that respite care be made consumer-directed when possible.

LD 1744

Resolve, to Plan for Services for Children with Mental Health Needs

RESOLVE 80

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON P KANE	OTP-AM	S-334 S-401 MICHAUD

LD 1744 proposed to require the Departments of Human Services and Mental Health, Mental Retardation and Substance Abuse Services to develop community-based acute crisis stabilization beds for children and to report annually on the progress of the development.

Committee Amendment "A" (S-334) proposed to replace the bill, requiring the Departments of Corrections, Education, Human Services and Mental Health, Mental Retardation and Substance Abuse Services to work together to design a comprehensive plan for the delivery of children's mental health services. It would require the Departments of Human Services and Mental Health, Mental Retardation and Substance Abuse Services to adopt changes in the Medicaid rules to establish a gatekeeper for children's mental health services and to report periodically to a subcommittee of the Joint Standing Committee on Health and Human Services on their progress. The amendment would add a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-401) proposed to limit the subcommittee to 4 meetings and allowed per diem and reimbursement for expenses for legislators. It would add an appropriation section.

Enacted law summary

Resolves 1997, chapter 80 comprises the provisions of the Committee Amendment and Senate Amendment "A". It requires the Departments of Corrections, Education, Human Services and Mental Health, Mental Retardation and Substance Abuse Services to develop a plan for children's mental health services, to establish a gatekeeper for those services and to report periodically on their progress to a subcommittee of the Health and Human Services Committee.

LD 1750 An Act Concerning the Rights of Children with Special Needs CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J		

LD 1750 proposes to outline principles of operation that the Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Departments of Human Services, Education and Corrections, must adhere to in developing and delivering services to children with special needs. It would require the department biennially to provide an assessment to the parent or guardian of a child with special needs identifying that child's special needs and the resources necessary to meet those needs and the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to report annually to the Legislature on the individual assessments performed, the needs identified and the estimated costs to meet those needs. It establishes the Interdepartmental Children's Ombudsmen to advocate for the rights and dignity of children with special needs, receive complaints, resolve disputes, act as information sources and make recommendations. This bill was carried over to the Second Regular Session of the 118th Legislature.

**LD 1757 An Act to Further Maine's Welfare Reform Initiatives and Establish
Maine's Temporary Assistance for Needy Families Program ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARADIS LOVETT	ONTP	

LD 1757 proposed to establish the TANF program to replace the AFDC program. These changes were required as the result of the passage by the Federal Government of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

See Committee bill, LD 1896, Public Law 1997, chapter 530.

**LD 1762 Resolve, Establishing the Task Force to Evaluate the Creation of a
Centralized State Office of Advocacy Services ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROWE	ONTP	

LD 1762 proposed to establish the Task Force to Evaluate the Creation of a Centralized State Office of Advocacy Services.

LD 1776

An Act to Establish Guidelines for Putting Certain Social Service Contracts out to Bid

PUBLIC 381

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT KANE	OTP-AM	S-282

LD 1776 proposed to prohibit a performance-based contract under the Department of Mental Health, Mental Retardation and Substance Abuse Services from being put out to bid solely because of the amount or duration of the contract. The bill would have required the Department of Mental Health, Mental Retardation and Substance Abuse Services to establish guidelines, with assistance from social service agencies, as to when contracts should be sent out for rebidding.

Committee Amendment "A" (S-282) This amendment proposed to replace the original bill to bring contracts under the Office of Substance Abuse in line with mental health contracts within the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Enacted law summary

Public Law 1997, chapter 381 comprises the provisions of the Committee Amendment. It provides uniformity for mental health and substance abuse contracts in the manner in which they are put out to bid and re-bid within the Department of Mental Health, Mental Retardation and Substance Abuse Services.

LD 1779

An Act Regarding Access to Medical Information

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE WATSON		

LD 1779 proposes to create the Medical Privacy Act of 1997 that establishes a right to privacy with respect to health information, including genetic information. It helps to ensure the confidentiality of computerized or electronically transferred health information and restricts the gathering of aggregate health information for financial gain or other purposes without an individual's knowledge or consent. The bill also provides individuals with access to health information of which they are the subject, and the power to challenge the accuracy and completeness of, amend or correct records containing that information.

The bill further provides that an individual's interest in the privacy of health information may not be overridden without notice and consent, except in limited circumstances, including when a person is in danger; disclosure to a health oversight agency in cases concerning fraud; protection of individuals from harm, abuse, neglect, or exploitation; public health risks; and disclosure to health researchers within certain parameters. It also provides for disclosure of health information for judicial, law enforcement and administrative purposes pursuant to requirements governing subpoenas, warrants, court orders, and in certain other cases involving legal claims. The bill establishes civil penalties and a private right of action of individuals aggrieved by conduct in violation of the act.

The bill requires that an advisory group be appointed by the department to review all proposed rules and assist the department in establishing the standards for compliance with the rules. The group is also directed to review further modifications to the Medical Privacy Act of 1997 to ensure efficient and confidential electronic exchange of protected health information and to make recommendations to bring certain existing laws into compliance.

The bill provides that the act does not preempt, supersede or modify the operation of certain existing state laws. It amends existing laws concerning the collection, use and dissemination of health information to render them consistent with the act and repeals other laws that are inconsistent. The bill was carried over to the Second Regular Session of the 118th Legislature.

See also LD 1737.

LD 1790 An Act to Control Browntail Moths

**PUBLIC 215
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J AMERO	OTP-AM	H-469

LD 1790 proposed to allow the Director of the Bureau of Health to declare infestations of the browntail moth in populated areas a public health nuisance. Following notice to the landowners and their consent, municipalities would have been allowed to conduct aerial spraying of pesticides to control the moths, as long as the municipalities complied with the notification and consent regulations of the Board of Pesticides Control. If a landowner refused to consent to aerial spraying the landowner would have been required to remove any moth infestation on that landowner's land and pay the additional costs of removal incurred by consenting landowners or the municipality. If the additional costs were not paid following a written demand, the municipality would have been allowed a supplemental tax.

Committee Amendment "A" (H-469) proposed to limit the obligations of nonconsenting landowners for additional browntail moth control costs. It would have added a requirement that the notice to landowners identify the chemical to be sprayed for browntail moth control and a requirement of 24-hour notice of the date of spraying, subject to weather conditions. The amendment would add an emergency preamble, an emergency clause and a fiscal note to the bill. It also proposed to change the collection of costs from a supplemental tax to a service charge.

Enacted law summary

Public Law 1997, chapter 215 comprises the provisions of the bill and the Committee Amendment. It provides a procedure for municipalities to address browntail moth infestations. It requires notice to landowners and notice of the date of spraying, subject to weather conditions. It allows for the collection of costs from nonconsenting owners through a service fee. The law takes effect May 16, 1997.

LD 1792**An Act to Decrease Young Adult and Adolescent Pregnancies****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINN PINGREE	ONTP	

LD 1792 proposed to create the Young Adult and Adolescent Pregnancy Task Force to assist in decreasing the number of young adult and adolescent pregnancies. The task force would have been required to develop and implement a series of measures, including a public relations program and a mentoring program, and to study measures used in California and Tennessee to achieve specified pregnancy reduction goals as recommended by the Healthy Maine 2000 Project of the Department of Human Services, Bureau of Health.

LD 1814**An Act to Improve the Delivery of Mental Health Services in Maine****PUBLIC 423**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGLEY FULLER	OTP-AM	S-312

LD 1814 proposed to give the Department of Mental Health, Mental Retardation and Substance Abuse Services oversight authority over all providers of mental health services that receive General Fund and Medicaid money and to authorize the department to establish rules to govern local service networks. The bill proposed to define the State's role in providing a safety net of services for people with mental illness.

Committee Amendment "A" (S-312) proposed to clarify the application of professional standards to nonmembers of the local service networks. It would specify the responsibility of the Department of Mental Health, Mental Retardation and Substance Abuse Services to provide a safety net of services for adult mental health consumers. It would require the department to collect data on mental health service utilization and unmet needs.

Enacted law summary

Public Law 1997, chapter 423 comprises the provisions of the Committee Amendment. It clarifies that the Department of Mental Health, Mental Retardation and Substance Abuse Services oversees the local service networks regarding the delivery of mental health services. It requires the department to collect data on mental health needs and services. It defines the department's responsibility to provide a safety net of mental health services for adults.

LD 1817**An Act to Amend the Laws Governing the Maine Health and Higher Educational Facilities Authority****PUBLIC 385
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL J CAREY	OTP-AM	H-473

LD 1817 proposed to allow the Maine Health and Higher Educational Facilities Authority to act as a conduit for eligible borrowers to purchase commodities in bulk and to allow it to purchase electricity on behalf of eligible borrowers if utility deregulation laws are enacted. The bill would create a lease financing program in the MHHEFA identical to the one created by the Legislature for use by local governments through the Maine Municipal Bond Bank.

Committee Amendment "A" (H-473) proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 1997, chapter 385 comprises the provisions of the bill and the Committee Amendment. It allows the Maine Health and Higher Educational Facilities Authority to act as a conduit for the purchase of commodities and utility services. It creates a lease financing program within MHHEFA. The law takes effect May 31, 1997.

LD 1859

An Act to Prevent Hunger Among Unemployed Maine Workers

**P & S 38
EMERGENCY**

Sponsor(s)
COLWELL
TREAT

Committee Report
OTP-AM

Amendments Adopted
H-584

The new federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 limits food stamp program eligibility for certain unemployed individuals to 3 months in a 3-year period. The act authorizes the United States Department of Agriculture to grant waivers of this provision to states for areas that do not have a sufficient number of jobs for individuals subject to this provision. Maine has already received a waiver for 8 counties and the Penobscot Nation. LD 1859 proposed to require the department to seek a waiver of 3 additional areas on the basis of insufficient jobs: Kennebec County, Penobscot County and the Sanford labor market area. It would instruct the department to seek a waiver for certain categories of individuals who, because of particular hardships, are unlikely to find jobs.

Additionally, this bill would require the Department of Human Services to coordinate with other public and nonprofit agencies to develop and supervise volunteer placements for persons who would otherwise become ineligible for food stamps and would require the department to arrange for an independent evaluation of the social and economic impact of this new provision on individuals losing assistance, municipalities and the Maine economy.

Committee Amendment "A" (H-584) proposed to add a requirement that nonprofit agencies assisting in the creation, administration and supervision of volunteer community placements for current or former food stamp recipients also provide volunteer placement services and that they be paid on a contract basis based on the volunteer placements completed. The amendment would replace the provision requiring the Department of Human Services to identify and locate persons who lose food stamp eligibility and to evaluate the impact of those lost benefits with a requirement that the department, to the extent feasible, identify and locate those persons. It would authorize the department to set up a dedicated account for receiving public and private funds to be used for evaluation purposes and add a fiscal note to the bill.

Enacted law summary

Private and Special Law 1997, chapter 38 comprises the provisions of the bill and the Committee Amendment. It directs the Department of Human Services to apply for an additional food stamp waiver on the basis of job insufficiency and requires the department to work with community agencies on the coordination of food stamp volunteer work. It requires DHS to participate in an evaluation of the food stamp 3 mo. - 3 yr. provision if funds become available.

LD 1877	Resolve, Regarding Legislative Review of Chapter 6: Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel, a Major Substantive Rule of the Maine State Board of Nursing	RESOLVE 53 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1877 proposed to authorize Board of Nursing Rule Chapter 6: Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel, a major substantive rule.

Enacted law summary

Resolves 1997, chapter 53 authorizes the Board to adopt the Board of Nursing Rule Chapter 6, the rules on coordination and oversight by professional nurses of patient care services provided by unlicensed health care assistive personnel. The resolve takes effect June 9, 1997.

LD 1881	Resolve, Regarding Legislative Review of Portions of Chapter II, Section 67: Nursing Facilities Services, Maine Medical Assistance Manual, a Major Substantive Rule of the Department of Human Services, Bureau of Medical Services	RESOLVE 54 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1881 proposed to authorize relevant portions of Department of Human Services Rule Chapter II, Section 67: Nursing Facilities Services, Maine Medical Assistance Manual, a major substantive rule.

Enacted law summary

Resolves 1997, chapter 54, authorizes the Department to adopt Rule Chapter II, section 67, the rules on the supplemental dementia screening tool addition to the MED '96 assessment for long-term care services. The resolve takes effect June 9, 1997.

LD 1887**An Act Regarding Health and the Prevention of Smoking****VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
	OTP	MAJ	
			H-723 MITCHELL J S-412 PARADIS

LD 1887, which is the report of the majority of the committee, would have required the Department of Human Services to apply for approval to expand Medicaid coverage to children whose family income is up to 200% of the federal poverty level and to apply for a waiver to provide coverage for the elderly in a Medicaid prescription drug program to elderly whose income is up to 150%. It would have appropriated funds for the children's Medicaid coverage and funds for the elderly Medicaid prescription drug program. It would have added 2 children's advocates to the Medicaid Advisory Committee. It would have established the Tobacco Prevention and Control Program to provide an antismoking campaign specially targeted to youth through community-based education programs and increased law enforcement efforts against illegal transportation, distribution and sale of cigarettes and tobacco products. It would have established the Tobacco Prevention and Control Council to provide review and advice to the Department of Human Services, Bureau of Health. It would have appropriated \$10,000,000 per fiscal year to this campaign. It would have raised cigarette taxes 18.5 mills per cigarette, which translates into 37 cents per pack. It would have dedicated revenue and allocated funds for expenditures.

See also LD 1888 and Governor King's bill, LD 1898. See also LD 1904, Public Law 1977, chapter 560.

LD 1888**An Act to Decrease Smoking Among Maine Youth, Young Adults
and Adults****DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
	OTP	MIN	

LD 1888, which is the report of the minority of the Joint Standing Committee on Health and Human Services, proposed to establish the Smoking Prevention Program within the Department of Human Services to provide a comprehensive antismoking campaign that includes education and media campaigns and increased enforcement of tobacco control laws. The maximum amount to be expended on the program in a year would have been \$1,500,000. It would have established the Smoking Prevention Fund to receive funds from a voluntary income tax check-off, private funds and grants and matching funds appropriated by the Legislature of up to \$500,000 per year. It would have provided start-up funds of \$250,000 from the General Fund. It would have dedicated revenue and allocated funds for expenditures and included a fiscal note. LD 1887, the majority report of the committee was enacted by the Legislature, later vetoed by the Governor.

See also LD 1887 and Governor King's bill LD 1896. See also LD 1904, Public Law 1997, chapter 560.

Sponsor(s)Committee ReportAmendments Adopted

LD 1893 is the report of the Joint Standing Committee on Health and Human Services. It would require a home day care provider who cares for more than 2 unrelated children under 13 years of age to be certified and a day care center to be licensed and directs the Commissioner of Human Services to adopt rules regulating home day care providers and day care centers. It would allow a home day care provider to care for children in the custody of the provider in addition to those children counted as day care children. It proposed to amend current law on day care facilities by renaming them day care centers and lowering the age of the children cared for from under 16 years of age to under 13 years of age. It would have required the Office of the State Fire Marshal to inspect a day care center, nursery school or premises of a certified home day care provider at least every 2 years. It would require uncertified providers of care for one or 2 children whose care is paid for by state or federal funds to pass a background check, a check for involvement with child protective services and a motor vehicle record check. It would require the Department of Human Services to provide information to those providers about health and safety, physical premises safety and training opportunities in health and safety, first aid and cardiopulmonary resuscitation and early care and education. It would allow the department to inspect the site and added a fiscal note.

Enacted law summary

Public Law 1997, chapter 494 requires a home day care provider who cares for more than 2 unrelated children under 13 years of age to be certified and a day care center to be licensed and directs the Commissioner of Human Services to adopt rules regulating home day care providers and day care centers. It allows a home day care provider to care for children in the custody of the provider in addition to those children counted as day care children. It amends current law on day care facilities by renaming them day care centers and lowering the age of the children cared for from under 16 years of age to under 13 years of age. It requires the Office of the State Fire Marshal to inspect a day care center, nursery school or premises of a certified home day care provider at least every 2 years. It requires uncertified providers of care for one or 2 children whose care is paid for by state or federal funds to pass a background check, a check for involvement with child protective services and a motor vehicle record check. It requires the Department of Human Services to provide information to those providers about health and safety, physical premises safety and training opportunities in health and safety, first aid and cardiopulmonary resuscitation and early care and education. It allows the department to inspect the site.

Sponsor(s)Committee ReportAmendments Adopted

LD 1896, the committee report, proposed to establish the Temporary Assistance for Needy Families program, TANF, to replace the Aid for Families with Dependent Children, AFDC, that is administered by the Department of Human Services. Federal participation in the AFDC program ended with the passage of federal welfare reform legislation, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 110 Stat. 2105. The bill proposed to do the following.

1. Direct the Department of Human Services to work collaboratively on child care services, employment and vocational services, education and mental health, mental retardation and substance abuse services and economic development.
2. Direct the Department of Human Services to administer the TANF program in a manner that continues the \$50 pass through of child support, provide medical and financial assistance to certain noncitizens, provide benefits to certain families based on incapacity of a parent, provide assistance to dependent children 19 to 21 years of age who are still in secondary school, provide assistance to pregnant women and continue the special housing allowance.
3. Continue the philosophical underpinning of AFDC, promoting support by both parents, moving families to sustainable employment, using job training partnerships and minimizing teenage pregnancies.
4. Provide transitional support services for Medicaid and transportation expenses for persons leaving TANF and provide child care assistance for those families and other low-income families.
5. Specify procedural requirements for applications, decisions and appeals regarding TANF assistance and rulemaking.
6. Provide an opportunity for a good cause determination regarding domestic violence and consider such a determination in the offering of services and the participation requirements.
7. Provide for the treatment of lump sum income by families, allowing use of the income for specified purposes without disqualification from TANF.
8. Require annual reports to the Legislature on the TANF program and notification to the Legislature on applications for federal waivers.
9. Broaden the current use of the family contract between the department and the TANF recipient and home visits of TANF applicants and recipients, allow the department to verify eligibility and require information on the earned income tax credit.
10. Establish an increased earned income disregard for TANF recipients in 8 counties, funded with state funds.
11. Maintain the requirements that minor parents live in a home supervised by an adult, except in certain circumstances, and receive their benefits in voucher form.
12. Require the department to provide an alternative aid program to help families avoid TANF assistance and an emergency assistance program for help with basic necessities.
13. Require the department to provide education on nutrition, food preparation and home and money management.
14. Maintain the provisions applicable to AFDC on receipt of federal grants, payments to guardians or conservators, inalienability of assistance, parental responsibility, fraud and disbursements.
15. Changes the ASPIRE-JOBS program into the ASPIRE-TANF program, adding provisions for good cause determinations regarding domestic violence and incentives for agencies to work with families facing multiple barriers to obtaining employment.

16. Maintain the family planning peer education initiative in ASPIRE-TANF.
17. Maintain the Interdepartmental Welfare Reform Committee, changing its focus to working with businesses regarding education and job placement.
18. Change the AFDC Advisory Council into the TANF Advisory Council, adding a subcommittee on the Parents as Scholars Program and postsecondary education.

This bill would have established the Parents as Scholars Program, a separate state-funded program providing assistance to parents pursuing 2-year and 4-year postsecondary degrees and allocate and appropriate funds from state and federal sources.

This bill would be emergency legislation and would take effect when enacted.

Enacted law summary

Public Law 1997, Chapter 530, comprises the provisions of the bill, without amendment. See bill description.

This law establishes the Temporary Assistance for Needy Families program, TANF, to replace the Aid for Families with Dependent Children, AFDC, that is administered by the Department of Human Services. Federal participation in the AFDC program ended with the passage of federal welfare reform legislation, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 110 Stat. 2105. The bill does the following.

1. Direct the Department of Human Services to work collaboratively on child care services, employment and vocational services, education and mental health, mental retardation and substance abuse services and economic development.
2. Direct the Department of Human Services to administer the TANF program in a manner that continues the \$50 pass through of child support, provide medical and financial assistance to certain noncitizens, provide benefits to certain families based on incapacity of a parent, provide assistance to dependent children 19 to 21 years of age who are still in secondary school, provide assistance to pregnant women and continue the special housing allowance.
3. Continue the philosophical underpinning of AFDC, promoting support by both parents, moving families to sustainable employment, using job training partnerships and minimizing teenage pregnancies.
4. Provide transitional support services for Medicaid and transportation expenses for persons leaving TANF and provide child care assistance for those families and other low-income families.
5. Specify procedural requirements for applications, decisions and appeals regarding TANF assistance and rulemaking.
6. Provide an opportunity for a good cause determination regarding domestic violence and consider such a determination in the offering of services and the participation requirements.
7. Provide for the treatment of lump sum income by families, allowing use of the income for specified purposes without disqualification from TANF.

8. Require annual reports to the Legislature on the TANF program and notification to the Legislature on applications for federal waivers.
9. Broaden the current use of the family contract between the department and the TANF recipient and home visits of TANF applicants and recipients, allow the department to verify eligibility and require information on the earned income tax credit.
10. Establish an increased earned income disregard for TANF recipients in 8 counties, funded with state funds.
11. Maintain the requirements that minor parents live in a home supervised by an adult, except in certain circumstances, and receive their benefits in voucher form.
12. Require the department to provide an alternative aid program to help families avoid TANF assistance and an emergency assistance program for help with basic necessities.
13. Require the department to provide education on nutrition, food preparation and home and money management.
14. Maintain the provisions applicable to AFDC on receipt of federal grants, payments to guardians or conservators, inalienability of assistance, parental responsibility, fraud and disbursements.
15. Changes the ASPIRE-JOBS program into the ASPIRE-TANF program, adding provisions for good cause determinations regarding domestic violence and incentives for agencies to work with families facing multiple barriers to obtaining employment.
16. Maintain the family planning peer education initiative in ASPIRE-TANF.
17. Maintain the Interdepartmental Welfare Reform Committee, changing its focus to working with businesses regarding education and job placement.
18. Change the AFDC Advisory Council into the TANF Advisory Council, adding a subcommittee on the Parents as Scholars Program and postsecondary education.

This bill establishes the Parents as Scholars Program, a separate state-funded program providing assistance to parents pursuing 2-year and 4-year postsecondary degrees and allocates and appropriates funds from state and federal sources. This law takes effect June 12, 1997.

LD 1898

An Act to Discourage Smoking by Maine's Youth

INDEF PP

Sponsor(s)
CAMERON

Committee Report

Amendments Adopted

LD 1898 proposed to provide for an increase in the cigarette tax rate to 37 mills per cigarette in order to fund a Tobacco Prevention and Control Program and would have deposited the balance of the revenue generated by the increase in the cigarette tax to the tax relief fund.

See also LDs 1887 and 1888.

See also LD 1904, Public Law 1997, chapter 560.

LD 1904	An Act to Discourage Smoking, Provide Tax Relief and Improve the Health of Maine Citizens	PUBLIC 560
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<u>Sponsor(s)</u> MITCHELL E		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1904 proposed to do the following.

1. Increase the tax on cigarettes 37¢ per pack to 74¢ and create a Tobacco Tax Relief Fund to receive the revenue from the increase in the tax on cigarettes. Except for the funding of the Tobacco Prevention and Control Program, no other revenue from the increase would be expended without the recommendation of the joint standing committee of the Legislature having jurisdiction over tax matters and the approval of the Legislature.
2. Establish the Maine Commission on Children's Health Care to assess the current unmet health care needs of the children of this State and make recommendations on fulfilling those needs.
3. Establish the Children's Health Reserve Account to provide \$8,000,000 in funding for children's health services, as recommended by the State Budget Officer and approved by the Governor.
4. Establish the Tobacco Prevention and Control Program to prevent the State's youths from using tobacco products and to assist youths and adults who currently smoke cigarettes and use other tobacco products to discontinue the use of tobacco products. The program would be funded through a portion of the revenue from the increase in tax on cigarettes.
5. Establish the Task Force on Improving Access to Prescription Drugs for the Elderly to determine and recommend methods for improving access to prescription drugs for elderly citizens of the State.
6. Establish the Health Care Fund for Maine Citizens to receive any award or settlement that results from an action against the tobacco industry.

House Amendment "A" (H-772) proposed to replace the bill and to increase the penalties for merchants who sell tobacco to minors and the penalties for minors and who smoke in public. The amendment was not accepted.

Enacted law summary

Public Law 1997, chapter 560 comprises the provisions of the bill. See bill description.

Joint Standing Committee on Health and Human Services

SUBJECT INDEX

Aging and Long Term Care

Enacted

LD 146	Resolve, to Establish the Commission to Study the Use of Pharmaceuticals in Long-term Care Settings	RESOLVE 71	Page 333
LD 657	Resolve, to Establish the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities	RESOLVE 81 EMERGENCY	Page 345
LD 851	An Act to Provide Reimbursement to Spouses Serving as Personal Care Attendants	PUBLIC 509 EMERGENCY	Page 349
LD 991	An Act to Address Issues Raised by the Select Committee to Study Rate Increases in Nursing Homes	PUBLIC 329	Page 353
LD 1114	Resolve, to Extend the Protections against Spousal Impoverishment under the Medicaid Program	RESOLVE 42 EMERGENCY	Page 359
LD 1133	Resolve, to Ensure Quality Care to Residents of Nursing Facilities through the Establishment of a Task Force on Minimum Staffing	RESOLVE 34 EMERGENCY	Page 360
LD 1176	An Act to Provide Continuity and Flexibility for Long-term Care	PUBLIC 488	Page 361
LD 1492	An Act to Provide Recipients of All Assisted Living Programs and Services Residents' Rights and Equivalent Reporting and Enforcement Opportunities	PUBLIC 260	Page 370
LD 1877	Resolve, Regarding Legislative Review of Chapter 6: Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel, a Major Substantive Rule of the Maine State Board of Nursing	RESOLVE 53 EMERGENCY	Page 387

LD 1881	Resolve, Regarding Legislative Review of Portions of Chapter II, Section 67: Nursing Facilities Services, Maine Medical Assistance Manual, a Major Substantive Rule of the Department of Human Services, Bureau of Medical Services	RESOLVE 54 EMERGENCY	Page 387
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LD 108	An Act to Amend the Criteria for Reimbursement by the Medicaid Program for Nursing Facility Residents	ONTP	Page 332
LD 303	An Act to Prohibit Nursing Facilities from Disposing of Medications of Patients Temporarily Absent from the Facilities	ONTP	Page 336
LD 388	An Act to Ensure State Payment to Nursing Homes of Costs Associated with State Adult Protection Custody Orders	ONTP	Page 337
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LD 443	An Act to Require Criminal Background Checks for Home Health Care Workers	ONTP	Page 341
LD 642	An Act to Extend the Time Period Used by the Department of Human Services in Determining Medical Eligibility for Medicaid Reimbursement for Residents of Nursing Facilities	ONTP	Page 344
LD 689	An Act to Exempt Veteran Residents of the Maine Veterans' Homes from the Provisions on Medical Assessment of Eligibility for Medicaid Reimbursement	ONTP	Page 346
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LD 960	An Act to Repeal Medicaid Estate Recovery Laws	ONTP	Page 353
LD 1020	An Act Allowing Increased Flexibility of Swing Beds	ONTP	Page 355
LD 1108	An Act Regarding Medicaid Reimbursement for Nursing Facility Care	ONTP	Page 358
LD 1201	Resolve, to Review Medicines in the Elderly Low-cost Drug Card Program	ONTP	Page 362

LD 1241	Resolve, to Improve the Delivery and Financing of Long-term Care	INDEF PP	Page 364
LD 1291	An Act to Prohibit Nursing Homes from Charging Private-payor Patients More Than Medicaid Patients	ONTP	Page 365
LD 1364	An Act to Establish Ratios for Direct-care Providers to Nursing Home Residents	ONTP	Page 366
LD 1369	An Act Concerning Due Process Regarding Certified Nursing Assistants	ONTP	Page 367
LD 1380	An Act to Clarify and Facilitate Transfers of Health Care Facility Capacity	ONTP	Page 367
LD 1496	An Act to Streamline the Long-term Care Regulatory System	ONTP	Page 370
LD 1750	An Act Concerning the Rights of Children with Special Needs	CARRIED OVER	Page 382

Children's Services

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LD 932	An Act Regarding Foster Parent Insurance	PUBLIC 46	Page 352
LD 1002	An Act Directing the Department of Human Services to Submit an Annual Report on Children in Foster Care and on Adoption of Children in the Care and Custody of the Department	PUBLIC 322	Page 354
LD 1153	An Act to Require that Day Care Facilities for Children and Infants Be Smoke Free	PUBLIC 150	Page 361
LD 1225	An Act to Amend the Maine Children's Trust Incorporated	PUBLIC 149	Page 363
LD 1381	Resolve, to Require a Study of Training in Sudden Infant Death Syndrome	RESOLVE 33	Page 367
LD 1584	An Act Regarding Confidentiality of Information Concerning Residents of Certain Facilities	PUBLIC 342	Page 373

LD 1620	An Act to Amend the Laws Regarding Intervenor Status for Foster Parents in Certain Cases of the Department of Human Services	PUBLIC 343	Page 373
LD 1673	An Act to Amend the Child and Family Services and Child Protection Act	PUBLIC 328	Page 375
LD 1744	Resolve, to Plan for Services for Children with Mental Health Needs	RESOLVE 80	Page 381
LD 1893	An Act Regarding Child Care Regulation	PUBLIC 494	Page 389
LD 1896	An Act Regarding Temporary Assistance for Needy Families and Welfare Reform	PUBLIC 530 EMERGENCY	Page 390
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LD 153	An Act to Provide Social Services to Children in Need of Services and State Supervision	CARRIED OVER	Page 334
LD 391	An Act to Allow Volunteer Work in a State Licensed Day-care Facility to Fulfill Requirements of the ASPIRE-JOB Program and to Establish a Statewide Toll-free Telephone Line for Reporting Welfare Fraud	ONTP	Page 338
LD 664	An Act Regarding the Regulation of Day Care Facilities and Home Baby-sitting Services	ONTP	Page 345
LD 771	An Act to Require That the Department of Human Services Bring Criminal Charges Promptly against a Custodian When a Child is Removed under Court Order	ONTP	Page 346
LD 787	Resolve, to Establish the Task Force on Youth and Families	INDEF PP	Page 347
LD 790	An Act to Provide Health Insurance Coverage to Children in Maine	ONTP	Page 347
LD 1224	An Act to Require Minimum Standards for State-funded Child Care Providers	ONTP	Page 363
LD 1255	An Act to Simplify Child Care Regulation in Maine	ONTP	Page 364
LD 1403	An Act to Require Consent of a Legal Guardian for the Provision of Prescription Contraception to a Minor	DIED IN CONCURRENCE	Page 368

LD 1585	An Act to Provide Additional Adoption Assistance to State Employees	CARRIED OVER	Page 373
LD 1627	An Act to Promote Healthy Maine Families	ONTP	Page 374
LD 1663	An Act to Ensure the Appropriate Treatment of Autism	ONTP	Page 375
LD 1677	An Act to Improve Children's Health	CARRIED OVER	Page 376
LD 1792	An Act to Decrease Young Adult and Adolescent Pregnancies	ONTP	Page 385

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LD 1002	An Act Directing the Department of Human Services to Submit an Annual Report on Children in Foster Care and on Adoption of Children in the Care and Custody of the Department	PUBLIC 322	Page 437
LD 1044	An Act to Clarify Requirements Pertaining to the Maine Certificate of Need Act	PUBLIC 242	Page 356
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LD 1275	An Act to Allow a Separate, Nonsmoking Area for a Beano or Bingo Game	PUBLIC 232	Page 364
LD 1326	An Act to Clarify the Responsibilities of the Institute Councils of the Augusta Mental Health Institute and the Bangor Mental Health Institute	PUBLIC 365	Page 366
LD 1620	An Act to Amend the Laws Regarding Intervenor Status for Foster Parents in Certain Cases of the Department of Human Services	PUBLIC 343	Page 373
LD 1693	An Act to Amend the Maine Health Data Organization Laws	PUBLIC 525 EMERGENCY	Page 377
LD 1715	An Act to Conform the State Revolving Loan Fund for Drinking Water with the 1996 Amendments to the Federal Safe Drinking Water Act	PUBLIC 555 EMERGENCY	Page 379

LD 1776	An Act to Establish Guidelines for Putting Certain Social Service Contracts out to Bid	PUBLIC 381	Page 383
LD 1790	An Act to Control Browntail Moths	PUBLIC 215 EMERGENCY	Page 384
LD 1817	An Act to Amend the Laws Governing the Maine Health and Higher Educational Facilities Authority	PUBLIC 385 EMERGENCY	Page 386
LD 1896	An Act Regarding Temporary Assistance for Needy Families and Welfare Reform	PUBLIC 530 EMERGENCY	Page 390
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LD 122	An Act to Repeal the Funding for the Family Planning Association of Maine	ONTP	Page 332
LD 129	An Act to Require That All Medicaid Funds Be Controlled by a Single State Agency	ONTP	Page 333
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LD 422	An Act to Improve the Delivery of Substance Abuse Services in Maine	ONTP	Page 340
LD 917	Resolve, to Establish a Coordinated Information Referral System and a Single Intake System for the Department of Corrections, the Department of Education, the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Public Safety	INDEF PP	Page 351
LD 1113	An Act to Require the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to Report the Facts of an Unnatural Death of a Patient under the Care of the Department to the Legislature	CARRIED OVER	Page 359
LD 1439	Resolve, Requiring the Office of Vital Statistics to Conduct a Study of Medical Treatment Records Disposition	ONTP	Page 370
LD 1575	An Act to Make Health Provider Data More Accessible to the Public	ONTP	Page 372
LD 1585	An Act to Provide Additional Adoption Assistance to State Employees	CARRIED OVER	Page 373

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LD 1700	An Act to Simplify the Process for Applying for State Services for People with Disabilities	INDEF PP	Page 378
LD 1762	Resolve, Establishing the Task Force to Evaluate the Creation of a Centralized State Office of Advocacy Services	ONTP	Page 383

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LD 851	An Act to Provide Reimbursement to Spouses Serving as Personal Care Attendants	PUBLIC 509 EMERGENCY	Page 349
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LD 998	Resolve, to Establish the Commission to Study the Certificate of Need Laws	RESOLVE 82 EMERGENCY	Page 353
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LD 1046	Resolve, to Study Registration for In-home Personal Care and Support Workers	RESOLVE 29 EMERGENCY	Page 356
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LD 1114	Resolve, to Extend the Protections against Spousal Impoverishment under the Medicaid Program	RESOLVE 42 EMERGENCY	Page 359
LD 1133	Resolve, to Ensure Quality Care to Residents of Nursing Facilities through the Establishment of a Task Force on Minimum Staffing	RESOLVE 34 EMERGENCY	Page 360

LD 1492	An Act to Provide Recipients of All Assisted Living Programs and Services Residents' Rights and Equivalent Reporting and Enforcement Opportunities	PUBLIC 260	Page 370
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LD 1584	An Act Regarding Confidentiality of Information Concerning Residents of Certain Facilities	PUBLIC 342	Page 373
LD 1693	An Act to Amend the Maine Health Data Organization Laws	PUBLIC 525 EMERGENCY	Page 377
LD 1706	An Act to Review Registration of Certified Nursing Assistants	PUBLIC 465	Page 379
LD 1877	Resolve, Regarding Legislative Review of Chapter 6: Regulations Relating to Coordination and Oversight of Patient Care Services by Unlicensed Health Care Assistive Personnel, a Major Substantive Rule of the Maine State Board of Nursing	RESOLVE 53 EMERGENCY	Page 387
LD 1881	Resolve, Regarding Legislative Review of Portions of Chapter II, Section 67: Nursing Facilities Services, Maine Medical Assistance Manual, a Major Substantive Rule of the Department of Human Services, Bureau of Medical Services	RESOLVE 54 EMERGENCY	Page 387
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LD 579	An Act to Ensure Equal Treatment of Lawful Aliens in Providing Medical Assistance and Aid to Needy Families	ONTP	Page 343
LD 644	Resolve, to Require a Plan for a Register of Nonlicensed Persons Who Provide Health Care Services	ONTP	Page 344
LD 733	An Act to Require Medicaid to Pay for Intravenous Drug Therapy at Home	ONTP	Page 346
LD 790	An Act to Provide Health Insurance Coverage to Children in Maine	ONTP	Page 347

LD 939	An Act to Require Certain Employees of Health Care Facilities to Wear Identification Badges	DIED BETWEEN BODIES	Page 352
LD 1006	An Act to Legalize Marijuana for Medical Purposes	ONTP	Page 355
LD 1020	An Act Allowing Increased Flexibility of Swing Beds	ONTP	Page 355
LD 1059	An Act to Establish the Maine Compassionate Use Act	INDEF PP	Page 357
LD 1112	An Act to Require Mental Health Hospitals to Accept into Care Former Patients Who Refuse to Take Medication	ONTP	Page 358
LD 1201	Resolve, to Review Medicines in the Elderly Low-cost Drug Card Program	ONTP	Page 362
LD 1291	An Act to Prohibit Nursing Homes from Charging Private-payor Patients More Than Medicaid Patients	ONTP	Page 365
LD 1364	An Act to Establish Ratios for Direct-care Providers to Nursing Home Residents	ONTP	Page 366
LD 1369	An Act Concerning Due Process Regarding Certified Nursing Assistants	ONTP	Page 367
LD 1380	An Act to Clarify and Facilitate Transfers of Health Care Facility Capacity	ONTP	Page 367
LD 1439	Resolve, Requiring the Office of Vital Statistics to Conduct a Study of Medical Treatment Records Disposition	ONTP	Page 370
LD 1627	An Act to Promote Healthy Maine Families	ONTP	Page 374
LD 1743	Resolve, Regarding Consumer-directed Personal Assistance Services and Respite Services	ONTP	Page 381

Income Maintenance

Enacted

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LD 334	Resolve, to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to an Annual Report Card on Poverty	RESOLVE 36	Page 337
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LD 1427	An Act to Create Quality Employment and Business Ownership Opportunities for Social Assistance Recipients	PUBLIC 484 EMERGENCY	Page 133 369
LD 1701	An Act to Promote Economic Independence for Low-income Families	PUBLIC 284	Page 378
LD 1716	An Act to Establish Family Development Accounts	PUBLIC 518 EMERGENCY	Page 380
LD 1859	An Act to Prevent Hunger Among Unemployed Maine Workers	P & S 38 EMERGENCY	Page 386
LD 1896	An Act Regarding Temporary Assistance for Needy Families and Welfare Reform	PUBLIC 530 EMERGENCY	Page 390

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LD 391	An Act to Allow Volunteer Work in a State Licensed Day-care Facility to Fulfill Requirements of the ASPIRE-JOB Program and to Establish a Statewide Toll-free Telephone Line for Reporting Welfare Fraud	ONTP	Page 338
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LD 559	Resolve, to Make Maine Welfare Laws Conform to Federal Welfare Laws	ONTP	Page 342
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LD 579	An Act to Ensure Equal Treatment of Lawful Aliens in Providing Medical Assistance and Aid to Needy Families	ONTP	Page 343

LD 603	An Act to Establish a Residency Requirement for General Assistance	ONTP	Page 344
LD 696	An Act to Assist 2-parent Families in which At Least One Parent Is Incapacitated	ONTP	Page 346
LD 819	An Act to Continue to Provide Emergency Assistance to Low- income Families with Children	ONTP	Page 348
LD 912	An Act to Ensure Access to Child Support for Low-income Children	ONTP	Page 350
LD 1021	An Act to Promote the Establishment of Individual Development Accounts by Low-income Families	ONTP	Page 355
LD 1117	An Act to Assist Low-income Parents to Obtain Access to Education	ONTP	Page 360
LD 1199	An Act to Ensure Adequate Nutrition and Support for Low-income Legal Immigrants	CARRIED OVER	Page 362
LD 1302	An Act to Amend the Aid to Families with Dependent Children Program	CARRIED OVER	Page 365
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LD 1411	An Act to Facilitate Disbursement of and Accounting for Issuances of Food Supplement Benefits	ONTP	Page 368
LD 1432	Resolve, to Encourage Nonprofit Entities to Work Together in a Community P.R.I.D.E. Program	ONTP	Page 369
LD 1757	An Act to Further Maine's Welfare Reform Initiatives and Establish Maine's Temporary Assistance for Needy Families Program	ONTP	Page 382

Medicaid

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LD 1541	Resolve, Directing the Department of Human Services to Apply for a Waiver to Enable People with Disabilities to Purchase Medicaid Health Insurance	RESOLVE 59	Page 371
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LD 130	An Act to Provide Financial Incentives to a Company That Hires and Provides Health Insurance Benefits to a Medicaid Recipient	ONTP	Page 333
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LD 1108	An Act Regarding Medicaid Reimbursement for Nursing Facility Care	ONTP	Page 358
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LD 1526	An Act to Redefine the Community Services of the Mental Health System	PUBLIC 371	Page 371
LD 1744	Resolve, to Plan for Services for Children with Mental Health Needs	RESOLVE 80	Page 381
LD 1814	An Act to Improve the Delivery of Mental Health Services in Maine	PUBLIC 423	Page 385

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LD 106	Resolve, Establishing the Commission to Review the Effectiveness of Statewide Confidentiality Laws Dealing with the Care of People with Mental Illness	INDEF PP	Page 332
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LD 1112	An Act to Require Mental Health Hospitals to Accept into Care Former Patients Who Refuse to Take Medication	ONTP	Page 358
LD 1413	An Act to Maintain the Augusta Mental Health Institute and the Bangor Mental Health Institute	ONTP	Page 368
LD 1722	An Act to Ensure Quality Care for Persons with Mental Illness	ONTP	Page 380

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LD 1859	An Act to Prevent Hunger Among Unemployed Maine Workers	P & S 38 EMERGENCY	Page 386
LD 1904	An Act to Discourage Smoking, Provide Tax Relief and Improve the Health of Maine Citizens	PUBLIC 560	Page 393

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LD 413	An Act to Ban All Smoking within Workplaces, Restaurants and Public Accommodations	DIED BETWEEN BODIES	Page 340
LD 441	An Act to Prohibit Family Planning Agencies from Using State Funds for Certain Expenses Related to Abortion Services	ONTP	Page 340
LD 443	An Act to Require Criminal Background Checks for Home Health Care Workers	ONTP	Page 341
LD 1006	An Act to Legalize Marijuana for Medical Purposes	ONTP	Page 355
LD 1059	An Act to Establish the Maine Compassionate Use Act	INDEF PP	Page 357
LD 1887	An Act Regarding Health and the Prevention of Smoking	VETO SUSTAINED	Page 388
LD 1888	An Act to Decrease Smoking Among Maine Youth, Young Adults and Adults	DIED ON ADJOURNMENT	Page 388
LD 1898	An Act to Discourage Smoking by Maine's Youth	INDEF PP	Page 393

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LD 1211	An Act to Reduce Teenage Smoking by Increasing the Tax on Cigarettes to Fund an Advertising Campaign	ONTP	Page 362
LD 1230	An Act Concerning the Outdoor Gathering Laws	ONTP	Page 363
LD 1369	An Act Concerning Due Process Regarding Certified Nursing Assistants	ONTP	Page 367
LD 1570	An Act to Require Tobacco Manufacturers to Disclose Ingredients Contained within Tobacco Products	CARRIED OVER	Page 372
LD 1575	An Act to Make Health Provider Data More Accessible to the Public	ONTP	Page 372
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LD 1627	An Act to Promote Healthy Maine Families	ONTP	Page 374
LD 1691	An Act to Significantly Reduce Smoking and Tobacco Use among the Young People of Maine	ONTP	Page 377
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LD 1737	An Act to Provide for Confidentiality of Health Care Information	CARRIED OVER	Page 381
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LD 1887	An Act Regarding Health and the Prevention of Smoking	VETO SUSTAINED	Page 388
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Enacted

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Not Enacted

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